

and in one-half hour thereafter he was no more. Death had come suddenly, but it did not meet him unprepared, for all his life had been a preparation, so living here as to deserve a higher and better life. A score of years is as nothing in the sum of eternity. The great question is, when called to die, "Are you ready" to meet that Creator "from out whose hand the centuries fall like grains of sand?"

Our brother was ready; as others have borne witness, he was a devoted Christian. We heard his pastor, who knew him best in life, and who can speak better than I of his Christian experience and conduct, deliver an eloquent address over the bier of our departed friend in the church of which he was an honored member in life. I take these lines from his sermon upon that occasion:

In every line of activity which made for goodness and for help he was strongly and sincerely interested and engaged. And all because he believed that life was an opportunity given him by God which he must not fail to improve to the utmost. And this leads me to the lower depths of his nature. Believing that life was an opportunity, he knew that to make it effective there must be a belief in God, and early in his career he took opportunity to confess publicly and plainly by uniting with this church his faith in and dependence upon God. His faith in God and in Jesus Christ as God manifest in human form was the basis of his life of purpose, of his life of goodness, of his constant sense of his responsibility to God. He was a Christian man first of all, and this was the secret of his successful life.

In conclusion, Mr. Speaker, I can only add my profound conviction that our brother is now safely anchored "beyond the dark sea" awaiting the coming of his loved ones. Wife and children can find abiding consolation and hope in the assurance that it can be said of him that while here "he loved his fellow-man" and served his Master, and that the blessing and promise which fell from the lips of Him whom he served, "Blessed are the pure in heart, for they shall see God," is the everlasting reward that comes to men like JOSHUA S. SALMON.

Mr. LLOYD. Mr. Speaker, a swift messenger bore the summons to quit this earthly existence to JOSHUA S. SALMON. The quick response separated him from every human tie and left the bitterest cup of grief for the family so suddenly bereft. As the sad news was carried to his friends there came this expression to the sorrowful message: "It can not be." His strong physique and apparent healthfulness was an earnest to everyone of many years of life and vigor. How strange the work of death! It respects no age nor condition. Those in the flower of youth, the power of manhood, or the decline of age yield alike to its determined sway. The unexpected call of Mr. SALMON to the Beyond in the midst of his usefulness and in the prime of his manhood is another forceful example of the uncertainty of life and the illustration of the fact that no one knows the time when the spark of existence may go out.

Mr. SALMON was a man of tranquil temper, considerate and thoughtful about everything with which he was connected. He was free from ostentation. He was plain, frank, and genial. It was my good fortune to be associated with him in committee work in this House. In this labor he showed himself to be painstaking and faithful to duty. The members of the committee will remember his superior advice, his analytical judgment, and practical suggestions. He was rather slow to assert himself—his perception was not so quick as some—but his comprehension of the subject exhibited his potential ability. He was observant of little things. After all, the sum of useful endeavor is measured by the aggregation of little things. By this standard he would measure far above the mediocre. He would stand amongst those whose lives are crowned with success and who have benefited the world by their contact with it.

The scene in Boonton, N. J., the home of Mr. SALMON, when the funeral escort appointed by Congress wended its way from the station to the comfortable and unpretentious residence where his body lay will not soon be forgotten. It was observed that the activities of business had ceased. Many stores were draped in mourning, the streets were lined with the sorrowing throng, who were concerned to pay the last tribute of respect to their honored townsman and personal friend. I remember as we waited near the doorway an old man with tears on his face and the marks of toil upon his person said to his associate standing by, "John, we have lost our best friend." In another group waiting near the church for the family to pass in I heard this expression: "Josh was the poor man's friend. He never forgot us."

When the congregation was seated in the church where the religious service was held I observed a uniformed body had prominent place. To my surprise it was the volunteer fire company of which he had been an active member; there not to contend against the flames and overcome them, but to lay the flower upon the bier and water it with the tears of their sorrow that their brother could no more respond to the alarm of fire and relieve the distress incident thereto. When the pastor made reference to the deceased, and spoke of his honor, integrity, and upright life, and commended his Christian character, it was plainly observant

that Mr. SALMON held a warm place in the affections of those who knew him best, and was respected by all. He had touched humanity at many points. The banker and the day laborer, the professional man and the merchant, were alike the recipients of his favor and the beneficiaries of his life.

Mr. SALMON's chief virtue was in his moral influence and Christian manhood. His life each day was an exhibition of the truthfulness of his profession. No one doubted him. He was a forceful exemplar of right living. His words and acts brought no reflection on Christianity. Think as we may about religion, discard the Bible if it is thought best and class it with profane history, belittle the work of the church and discourage individual devotion to the tenets of Christianity, but when the coffin shall hold the body, the funeral dirge shall be sung, and mother earth receive back its own, the greatest consolation that can come to the survivors is the hope of the resurrection and eternal union of loved ones where separations never take place and tears are never known.

A faithful wife and loving children survive Mr. SALMON. What a beautiful monument he has left them. A structure of his own hand. The heritage of a pure and upright life. The marble shaft erected over the grave by family and friends may crumble to earth and be forgotten, but the influence of his good deeds will continue like the waves of the mighty ocean, rolling on until they break upon the farther shore. His influence will tend to strengthen and encourage long after the body has turned to dust and the marks of recognition shall be effaced.

Our friend has gone, and his untimely taking reminds me of these words:

Death takes us unawares  
And stays our hurrying feet,  
The great design unfinished lies,  
Our lives are incomplete.

[Mr. GARDNER of New Jersey addressed the House. See Appendix.]

Mr. FLANAGAN. Mr. Speaker, there are several members who have prepared eulogies on Mr. SALMON, but who are unable to be present to-day. I ask unanimous consent that they have permission to print their remarks in the RECORD.

The SPEAKER pro tempore. Unanimous consent is asked by the gentleman from New Jersey that members of the House have leave to print remarks upon the subject of these resolutions. Is there objection? [After a pause.] The Chair hears none.

The resolutions were then unanimously agreed to.

And then, in pursuance of the resolutions, the House (at 2 o'clock and 40 minutes p. m.) adjourned until to-morrow at 12 o'clock noon.

## SENATE.

MONDAY, February 9, 1903.

Rev. A. H. GJEVRE, of the city of New York, offered the following prayer:

Almighty God and Heavenly Father, Thou art the giver of every good gift and of every perfect gift, for it cometh down from Thee, the Father of light, in whom there is no variableness or shadow of turning. This great and glorious country, the United States of America, is truly a gift of Thee. Thou hast made it a refuge and a home for millions of people who previously had no home, and Thou hast blessed us abundantly unto this day. But we need Thy blessing every day, O Lord, and we ask Thee to bless our country, and our people.

Bless our President and his family. Protect him from all danger and harm. Bless the Congress and all its members. Bless the members of the Senate, and let the spirit of love, of truth, and of wisdom rest on them and guide them and lead them to perform Thy glorious will, and work for the true welfare and progress of our country and our people. May they experience Thy love, Thy mercy, and Divine guidance through every day.

Hear us, O Lord, for we ask Thee in the blessed name of Jesus our Redeemer. Amen.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. McCUMBER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

## CHAPLAINS IN THE NAVY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 23d ultimo, all correspondence relating to the pay and status of Navy chaplains that passed between the Secretary of the Navy and Navy chaplains from November 1, 1901, to the present time; which, with the accompanying

papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

#### PHILIPPINE CURRENCY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a copy of a cable dispatch from the governor of the Philippine Islands, indicating the urgent necessity for legislation regarding the Philippine currency.

Mr. FORAKER. As the cablegram is not long, may it not be read?

There being no objection, the cablegram was read, as follows:

[Cablegram.]

MANILA, February 5, 1903.

SECRETARY OF WAR, Washington, D. C.:

Official ratio of Mexican dollars to United States currency now \$2.68 to \$1; total direct net loss to insular treasury from depreciation silver since January 1, 1902, \$1,277,941.91.

All business suffering greatly from fluctuation and depreciation insular treasury—immense losses to merchants who have sold on credit. Failure to furnish relief at this session of Congress would create consternation throughout the island; added to prevailing financial depression, loss animals by rinderpest and other contagious diseases, and resulting destitution, the political situation would become more difficult.

The adoption American money would enhance prices greatly and derange every form of business. Legislation making gold peso equal one-half American dollar as unit of value, peso and subsidiary minor coinage receivable for all public dues at the rate of 50 cents American money for 1 peso, with provision for issuance silver certificates based on deposit of new pesos, would furnish a currency as good as American money and much better adapted to needs of the islands. The Philippine Commissioners are unanimous in these views.

TAFT.

The PRESIDENT pro tempore. The communication will lie on the table and be printed, the bill being now on the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11544) to correct the military record of Thomas J. Morman.

The message also announced that the House had passed a bill (H. R. 17) requiring corporations engaged in interstate commerce to make returns, prohibiting rebates and discriminations and the use of interstate commerce in attempts to destroy competition, and for other purposes; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. CAPRON, and Mr. HAY managers at the conference on the part of the House.

The message also communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. William Joyce Sewell, late a Senator from the State of New Jersey.

The message further communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. Joshua S. Salmon, late a Representative from the State of New Jersey.

#### PETITIONS AND MEMORIALS.

Mr. HOAR. I present a petition of sundry presidents and professors of various colleges of the United States, in aid of others presented heretofore, praying that a committee be appointed to inquire into the conditions of the Philippines, so that the American people may know the exact state of affairs in those islands. The petition is signed by the presidents of 9 colleges, by 37 college professors, and by 24 other citizens. I move that it be referred to the Committee on the Philippines.

The motion was agreed to.

Mr. PERKINS presented a petition of Local Union No. 9, United Cloth Hat and Cap Makers, American Federation of Labor, of San Francisco, Cal., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of the City Front Federation, of San Francisco, Cal., and a petition of Local Union No. 9162, Shipwrights and Caulkers, of San Francisco, Cal., praying for the repeal of the desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

Mr. KITTREDGE presented a petition of Cigar Makers' Local Union No. 153, American Federation of Labor, of Sioux Falls, S. Dak., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. CLAY presented a petition of Local Union No. 439, United Brotherhood of Carpenters and Joiners, of Atlanta, Ga., praying for the repeal of the desert-land law and the commutation clause

of the homestead act; which was referred to the Committee on Public Lands.

Mr. PLATT of New York presented a petition of the local board of Morrisania, borough of Bronx, of New York City, N. Y., praying for the improvement of that portion of the Hudson River and Long Island Sound known as Bronx Kills; which was referred to the Committee on Commerce.

He also presented petitions of Cigar Makers' Local Union No. 125, of Norwich; of Leopold Miller & Sons, of New York; of Cigar Makers' Local Union No. 210, of Rome; of Cigar Makers' Local Union No. 119, of Dansville; and of Cigar Makers' Local Union No. 106, of Ogdensburg, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation to prohibit the giving of presents, coupons, or promises of gifts with cigars and tobaccos; which were referred to the Committee on Finance.

He also presented a memorial of the Retail Cigar and Tobacco Dealers' Association of New York City, N. Y., remonstrating against a reduction of the tariff duties on cigars imported from Cuba; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade and Transportation of New York City, N. Y., praying for the enactment of legislation to secure a strength in both the ships and personnel of the Navy commensurate with the requirements of the United States Government; which was referred to the Committee on Naval Affairs.

He also presented a petition of Long Island Council, No. 114, Junior Order of American Mechanics, of Brooklyn, N. Y., praying for the enactment of legislation to restrict immigration; which was ordered to lie on the table.

He also presented petitions of Typographical Union No. 52, of Troy; of Typographical Union No. 19, of Elmira; of the Trades Assembly of Utica; of the Central Trades Council of Olean, and of Local Union No. 1, of New York City, all of the American Federation of Labor, in the State of New York, praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

Mr. FOSTER of Washington presented a petition of the Woman's Study Club, of Tacoma, Wash., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Oysterville; of the Woman's Christian Temperance Union of Green Lake, and of Andrews Brothers, of Oysterville, all in the State of Washington, remonstrating against the repeal of the present antiteen law; which were referred to the Committee on Military Affairs.

Mr. KEAN presented petitions of sundry citizens of Newark and Jersey City, in the State of New Jersey; of sundry citizens of Sharon, Bradford, Kane, Lockhaven, Erie, and Williamsport, in the State of Pennsylvania; of sundry citizens of Youngstown and Cleveland, in the State of Ohio; of sundry citizens of Boston, Worcester, Pittsfield, and Springfield, in the State of Massachusetts; of sundry citizens of Dunkirk, Rochester, and Syracuse, in the State of New York; of sundry citizens of Manchester, N. H., and of sundry citizens of Providence, R. I., praying for the appointment of a commission to investigate the condition of affairs in the Southern States growing out of the changed relations of the races since the war of the rebellion; which were referred to the Committee on Education and Labor.

Mr. DEPEW presented petitions of Local Union No. 151, of Binghamton; of Federal Labor Union No. 10076, of Ilion; of Cigar Makers' Local Union No. 81, of Peekskill; of Local Union No. 121, of Troy; of the International Brotherhood of Paper Makers of Ticonderoga; of Glass Bottle Blowers' Association No. 44, of Olean; of Cigar Makers' Local Union No. 132, of Brooklyn; of Laborers' Protective Union No. 8856, of Middletown; of Carpenters and Joiners' Local Union No. 340, of New York; of Local Union No. 46, of Buffalo; of the Central Associated Trades Council of Corning; of Local Union No. 313, of Brooklyn; of Carpenters and Joiners' Local Union No. 491, of Corinth; of Iron Molders' Local Union No. 130, of Sandy Hill; of the Trade and Labor Council of Poughkeepsie; of Local Union No. 9750, of Troy; of Cigar Makers' Local Union No. 370, of Jamestown; of the Fiber Pressmen's Local Union of Lockport; of Carpenters and Joiners' Local Union No. 369, of North Tonawanda; of Local Union No. 308, of Rochester; of Woodworkers' Local Union No. 90, of Jamestown; of Iron Molders' Local Union No. 109, of Geneva; of Federal Labor Union No. 9355, of Glens Falls; of Local Union No. 18, of Schenectady; of Journeymen Barbers' Local Union No. 150, of Troy; of Local Union No. 9781, of Wellsville; of Local Union No. 134, of Geneva; of Painters, Paperhangers, and Decorators' Local Union No. 357, of Dunkirk, and of Carpenters and Joiners' Local Union No. 1107, of Roversville, all of the American Federation of Labor; of Local Division No. 103, Brotherhood of Locomotive Engineers, of New York City; of Newburgh Lodge,



Brotherhood of Railroad Trainmen, of Newburgh, and of F. J. Brady, of White Plains, all in the State of New York, and of the Central Labor Union, American Federation of Labor, of Washington, D. C., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the American Chamber of Commerce of Paris, France, praying for the adoption in the United States of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

#### REPORTS OF COMMITTEES.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (H. R. 16334) fixing terms of United States courts in Colorado, and for other purposes, reported it without amendment.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6593) granting an increase of pension to Harry L. Graham;

A bill (H. R. 15733) granting an increase of pension to Martin G. Cole;

A bill (H. R. 15721) granting an increase of pension to Walter A. Porter; and

A bill (H. R. 16391) granting a pension to Ella F. Shandrew.

Mr. GALLINGER (for Mr. WELLINGTON), from the Committee on the District of Columbia, to whom was referred the bill (S. 6525) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8023) granting an increase of pension to John Downing;

A bill (H. R. 6498) granting an increase of pension to John A. Whitman; and

A bill (H. R. 15558) granting an increase of pension to David A. Baldwin.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15617) granting an increase of pension to William Keith;

A bill (H. R. 9237) granting a pension to John Wallace;

A bill (H. R. 10869) granting an increase of pension to Michael K. Strayer;

A bill (H. R. 7895) granting an increase of pension to Sarah Bowen;

A bill (H. R. 14361) granting an increase of pension to Joseph M. Alexander;

A bill (H. R. 9570) granting an increase of pension to Isaac Gabriel;

A bill (H. R. 16445) granting an increase of pension to Luke Madden, alias John E. McDonald;

A bill (H. R. 12021) granting an increase of pension to Anson Lewis;

A bill (H. R. 16313) granting an increase of pension to James L. Davenport, alias Dexter Davis; and

A bill (H. R. 15618) granting an increase of pension to William O. Boughton.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (H. R. 9072) granting an increase of pension to George W. Steffey, reported it with an amendment, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16381) granting an increase of pension to Lymus Wallace;

A bill (H. R. 4925) granting a pension to Joel Thomason;

A bill (H. R. 16697) granting a pension to Ellen Johnson;

A bill (H. R. 15748) granting an increase of pension to William Whitlock; and

A bill (H. R. 1027) granting a pension to Lavinia Cook.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 15391) granting a pension to Margaret Cotter; and

A bill (H. R. 16274) granting an increase of pension to Sallie H. Kincaid.

Mr. FOSTER of Washington, from the Committee on Pensions,

to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 700) granting an increase of pension to Eben Slawson; and

A bill (H. R. 14475) granting an increase of pension to David E. Lawton.

Mr. FOSTER of Washington, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 29th ultimo, proposing to appropriate \$5,000 for paving old Sixteenth street from Columbia road to Kenesaw avenue, in the District of Columbia, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6656) granting a pension to Samantha Yant;

A bill (H. R. 4632) granting an increase of pension to William P. Rhodes;

A bill (H. R. 5281) granting an increase of pension to Patrick Mahan;

A bill (H. R. 15466) granting an increase of pension to John H. Robson;

A bill (H. R. 15674) granting an increase of pension to John A. T. McPherson;

A bill (H. R. 14027) granting an increase of pension to Thomas J. Winfrey;

A bill (H. R. 1637) granting an increase of pension to John A. Spalding;

A bill (H. R. 16291) granting a pension to Laban McGahan;

A bill (H. R. 659) granting an increase of pension to Winfield Pierce;

A bill (H. R. 15746) granting an increase of pension to Daniel R. Lucas; and

A bill (H. R. 942) granting a pension to John R. Dougherty.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 2136) granting an increase of pension to Lawrence H. Rousseau; and

A bill (H. R. 14195) granting an increase of pension to David T. Towles.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3261) granting a pension to George R. Grubaugh;

A bill (H. R. 7710) granting a pension to Margaret Scanlon;

A bill (H. R. 15423) granting an increase of pension to Stephen B. Morehouse;

A bill (H. R. 3265) granting an increase of pension to Henry Pensinger;

A bill (H. R. 3353) granting an increase of pension to John H. Kehn;

A bill (H. R. 16073) granting an increase of pension to John H. Smith; and

A bill (H. R. 5876) granting an increase of pension to Jacob E. Richards.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 14592) granting an increase of pension to Benjamin F. Barrett, reported it with an amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Patents, to whom was referred the bill (S. 7194) authorizing the issuance of letters rogatory by the Commissioner of Patents, and providing for the execution of letters rogatory issued from foreign patent offices, reported it without amendment.

Mr. BLACKBURN, from the Committee on Pacific Islands and Porto Rico, reported an amendment proposing to appropriate \$200,000 for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, in full satisfaction and discharge of all claims or pretended claims, intended to be proposed to the sundry civil appropriation bill or to any other general appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

#### STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. McCOMAS on the 3d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring). That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and*

the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

LILLIAN G. ELKINS.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 6048) granting a pension to Lillian G. Elkins, to report it favorably with an amendment; and as it is extremely important that the bill should be immediately passed, I ask for its consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lillian G. Elkins, widow of Fred C. Elkins, late of Company C, Thirteenth Regiment United States Infantry, and Company D, Seventeenth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW C. SMITH.

Mr. GALLINGER. I make the same request for the same reason in regard to the bill (S. 4922) granting an increase of pension to Andrew C. Smith, which I report back from the Committee on Pensions with amendments.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on Pensions were, in line 6, after the word "late," to strike out "of company" and insert "musician;" and in line 8, before the word "dollars," strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew C. Smith, late musician, Twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 dollars per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. HARRIS introduced a bill (S. 7291) regulating the importation of breeding animals; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MALLORY introduced a bill (S. 7292) granting an increase of pension to Alice M. Hickey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McLAURIN of South Carolina introduced a bill (S. 7293) for the relief of the estate of Dedrick Stokein; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 7294) for the relief of Corning & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 7295) to correct the record of Col. George M. Brayton, United States Army, retired; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BEVERIDGE introduced a bill (S. 7296) granting an increase of pension to Lloyd Hickman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 7297) granting an increase of pension to Hensley H. Kirk; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 7298) to fix the rank of certain officers in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALGER introduced a bill (S. 7299) for the relief of Arra M. Farnsworth; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 7300) further to provide for the care of dependent children in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALDRICH introduced a bill (S. 7301) to further provide for the safe-keeping of public money, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. BURTON introduced a bill (S. 7302) in relation to the conveyance and sale of railways, property, rights, and franchises in

the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SIMMONS introduced a bill (S. 7303) for the relief of O. H. Perry, administrator of the estate of George W. Perry, late of the county of Craven, N. C.; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO BILLS.

Mr. TURNER submitted an amendment authorizing the sale of the timber upon the lands of the Tulalip Indian Reservation in the State of Washington, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. FOSTER of Washington submitted an amendment proposing to appropriate \$21,000 for the management, protection, and improvement of Mount Rainier National Park, in the State of Washington, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Forest Reservations and the Protection of Game, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the captain of the watch of the Agricultural Department from \$1,000 to \$1,200, intended to be proposed by him to the Agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. DUBOIS submitted an amendment proposing to appropriate \$234.21 to pay R. F. Pettigrew, administrator of the estate of F. W. Pettigrew, deceased, and Ernest J. Lacey, balance due on surveying contract No. 139, intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. JONES of Arkansas (by request) submitted an amendment proposing to appropriate \$80,000 for the purchase of lots 75, 76, and 19, and the east 21 feet of lot 20, in square 624, in the District of Columbia, for the erection of suitable stables for the Government Printing Office, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$18,664 for the purchase of land necessary to extend Euclid street, block 18, Meridian Hill, intended to be proposed by him to the District of Columbia appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. LODGE submitted an amendment proposing to appropriate \$75,000 for constructing a first-order light and fog signal on one of the ledges known as The Graves, on a granite tower, to mark the entrance to the new Broad Sound Channel in Boston Harbor, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. McCOMAS submitted an amendment intended to be proposed by him to the bill (S. 7142) for the allowance of certain claims reported by the Court of Claims, and for other purposes; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FRYE submitted an amendment proposing to appropriate a sum equal to two years' pay of a district superintendent of the Life-Saving Service for the widow and children of the late Joseph W. Ethridge, late superintendent of the sixth life-saving district, who died from pneumonia contracted in the line of duty, and proposing to appropriate a like sum for the widow of the late John M. Richardson, late superintendent of the first life-saving district, who died from sickness incurred in the line of duty, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### SPECIAL POSTAL RATES.

On motion of Mr. FRYE, it was

Ordered, That leave be granted the Postmaster-General to withdraw from the files of the Senate the papers marked "Exhibits A, B, C, D," submitted by him in connection with Senate resolution No. 103, Fifty-seventh Congress, first session, dated February 4, 1902.

#### PHILIPPINE COMMERCE.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed 1,000 copies of Senate Document No. 128, Fifty-seventh Congress, second session, entitled "Philippine Commerce," of which 500 copies shall be for the use of the Senate and 500 copies for the use of the War Department.

#### EXTENSION OF EIGHTH STREET NORTHWEST.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 3638) for the extension of Eighth street NW., or Wrights road, District of Columbia.



The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 1, page 1, line 11, before the word "subdivision," to strike out "Wright and Dole's" and insert "Todd and Brown's;" so as to make the section read:

That within six months after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia, sitting as a district court, by petition particularly describing the lands to be taken, a proceeding in rem to condemn the land that may be necessary for the extension of Eighth street N.W., otherwise known as Wrights road, District of Columbia, northward to Irving street, through lot 4 of Todd and Brown's subdivision, with the full width of said lot.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COURTS-MARTIAL IN THE PHILIPPINES.

Mr. QUAY. I move that the Senate proceed with the consideration of the omnibus statehood bill.

Mr. RAWLINS. The Senator from Tennessee [Mr. CARMACK] is prepared to submit some remarks on the resolution which I offered, calling for information concerning courts-martial in the Philippines, and I suggest to the Senator from Pennsylvania to defer his motion.

Mr. LODGE. The resolution went over, I will say to the Senator, subject to call, and the Senator from Tennessee has a right to call it up at any time.

Mr. QUAY. Certainly. I withdraw the motion.

#### MUSCLE SHOALS POWER COMPANY.

Mr. PETTUS. I ask the indulgence of the Senator from Tennessee and the unanimous consent of the Senate to call up House bill 16602. It is a bill merely extending the time in which work is to be done on the Muscle Shoals by a private company.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Alabama?

Mr. CARMACK. Certainly.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill (H. R. 16602) to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in the said act to be done by said company, and for other purposes; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### COURTS IN COLORADO.

Mr. McCUMBER. I move that the pending business be temporarily laid aside—

The PRESIDENT pro tempore. If the Senator from North Dakota will pardon the Chair, a pending resolution was by unanimous consent laid on the table subject to call. The Senator from Tennessee has just given notice that he proposes to call it up in order to submit some remarks, and therefore the Chair will be obliged to recognize the Senator from Tennessee.

Mr. PATTERSON. There was a bill reported from the Committee on the Judiciary this morning establishing a term of the United States court in Montrose, Colo. I ask unanimous consent that it may be taken up and passed.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. CARMACK. Certainly.

Mr. PATTERSON. I ask the Senate to proceed to the consideration of the bill (H. R. 16334) fixing terms of United States courts in Colorado, and other purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LIFE-SAVING STATION AT CAPE NOME, ALASKA.

Mr. TURNER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Washington?

Mr. CARMACK. Certainly.

Mr. TURNER. I wish to call up a short bill in which the people of the Territory of Alaska are very much interested. I ask unanimous consent for the consideration of the bill (S. 6848) to establish a life-saving station at Cape Nome, Alaska.

The Secretary read the bill; and there being no objection, the

Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, to add at the end of the bill a new section, as follows:

SEC. 2. That the thirteenth life-saving district is hereby extended to include the coast of Alaska.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HOUSE BILL REFERRED.

The bill (H. R. 17) requiring corporations engaged in interstate commerce to make returns, prohibiting rebates and discriminations and the use of interstate commerce in attempts to destroy competition, and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

#### ARMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PROCTOR. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL were appointed.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE SALMON.

Mr. KEAN. Mr. President, I desire to give notice that on Saturday, February 14, after the conclusion of the exercises in commemoration of the life and character of Hon. CHARLES A. RUSSELL, late a member of the House, I shall submit resolutions commemorative of the life and character of JOSHUA S. SALMON, late a Representative from the State of New Jersey.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 7th instant, approved and signed the following acts and joint resolution:

An act (S. 679) directing the issue of a check in lieu of a lost check drawn by Capt. E. O. Fechét, disbursing officer, United States Signal Service Corps, in favor of the Bishop Gutta Percha Company;

An act (S. 4832) for the relief of Col. H. B. Freeman;

An act (S. 5079) for the relief of George P. White;

An act (S. 5381) to correct errors in dates of original appointments of Capt. James J. Hornbrook and others;

An act (S. 6446) to provide for the construction of a bridge across Rainy River in Minnesota;

An act (S. 7063) permitting the building of a dam across the St. Croix River at or near the village of St. Croix, Polk County, Wis.; and

A joint resolution (S. R. 146) to extend the time for construction of the Akron, Sterling and Northern Railroad in Alaska.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 4722) for the erection of a building for the use and accommodation of the Department of Agriculture; and

An act (S. 7124) to provide for the removal of persons accused of crime to and from the Philippine Islands for trial.

#### COURTS-MARTIAL IN THE PHILIPPINES.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. A resolution submitted by Mr. RAWLINS, directing the Secretary of War to inform the Senate what courts-martial have been ordered and held in the Philippine Islands, etc.

Mr. CARMACK. Mr. President, I suppose that the Senate, following the suggestion of the Senator from Massachusetts [Mr. LODGE], will send the resolution to the Committee on the Philippines. I suppose also that every Senator thoroughly understands that you might as well write a letter to a dead man for information as to send a resolution of inquiry to that committee. Before this resolution goes to its grave, I wish, in the language of a distinguished Arkansas divine, to make a few remarks concerning the remains.

The Senator from Indiana [Mr. BEVERIDGE] the other day, when this resolution was in debate, asserted with an air of triumph that the inquiry made by the Philippines Committee had shown that the great majority of the officers and soldiers in the

Philippine Islands had been kindly and humane in their dealings with the natives, and he declared that I was very much disappointed because the result of that investigation had not put a brand of infamy upon the American Army.

This last remark, Mr. President, was wholly gratuitous and wholly mistaken. I have asserted that myself in every speech I have made upon the floor of the Senate. I have said over and over again that the great majority of the American Army abhorred the criminal practices which have brought shame and dishonor, not so much upon the American Army, which is the mere instrument, as upon the authors of that policy. The Senator's statement in that respect is absolutely true, but it is utterly irrelevant. I have some facts in mind to show how true and how irrelevant the Senator's statement is.

We had a number of witnesses before our committee who testified that the command to which they were attached occupied a district comprising five towns, one or more of which had a population of 12,000, and that in all this district there had not been one single act of violence committed by a single Filipino against a single American soldier, and the soldiers on their part were kind and just and generous in dealing with the natives.

There is a fact, Mr. President, to vindicate the assertion made by the Senator from Indiana, if an uncontroverted statement needs any vindication. But what does it signify so far as this controversy is concerned? The further fact is that by the order of the commanding officer all five of those towns and every house in them was laid in ashes and the people driven forth into the wilderness. How much good did it do these wretched Filipinos that the great majority of the soldiers were kindly and humane? How much good did it do them to know that the very men who applied the torch abhorred and detested the acts which they were compelled to commit?

I have another fact in mind, Mr. President, to substantiate the Senator's statement. General Smith in a letter over his own signature declared that the relations existing between his soldiers and the native Filipinos in Samar were of the friendliest character. He declared, in substance, that it was almost impossible to compel his soldiers to execute his brutal and inhuman policy. He said that the soldiers seemed to have a love of the little brown brothers ingrafted in their nature; that they looked upon them as little brown angels.

Mr. President, there, I say, is another fact to substantiate the statement made by the Senator from Indiana that a majority of the American soldiers were just and kind and humane in their dealings with the Filipinos. How much good did that do? How much good did that do the people when Smith issued his inhuman order to make Samar a howling wilderness, to practically exterminate the whole people, to kill even the little children above 10 years of age, and to kill all prisoners?

Sir, if we may believe the testimony brought out in the recent Glenn trial, his orders were executed with such brutal completeness that he actually doomed several thousand people to death by starvation after they had laid down their arms and become friendly to the United States.

Mr. President, how much good does it do to say that the American Army contained only the usual proportion of wicked and vicious men? Every man knows that every army contains a number of wicked and vicious men. How many men does it take to torture unarmed and helpless noncombatants? How many men does it take to burn a village, or a hundred villages? How many men does it take to sweep a whole district with fire after its armed defenders have been driven away?

Mr. President, we know, as I have said, that every army in the world contains enough wicked and vicious and lawless men to make its presence a hell upon earth if those men are not restrained by proper discipline. You may take the most peaceful community in this world, in a time of profoundest peace, when the people are long habituated to orderly government, and you dare not relax the rigor of your penal laws. You know that if you did so, that community would burst out into crimes of blood and violence.

How much more is that true of an army in time of war, habituated to scenes of death and violence. You may take the best army that ever trod the earth, send it to a distant and hostile country, subject it to the nerve-racking strain of a campaign in a tropical land, and let it be known throughout that army that crimes of violence will go unpunished, and who does not know the awful consequences that will ensue?

Let us suppose, Mr. President, that in an army invading a distant country you have a regular system of criminal violence in known, deliberate, scandalous violation of the laws of war; and though this is long continued and notorious, no effort whatever is made to suppress it, and that no criminal is ever brought to justice; let us suppose that the very officers, charged with the duty of enforcing discipline, are themselves the very worst offenders; let us suppose that the most brutal outrages go unnoticed and apparently unknown to the military authorities on the scene

long after they have become a matter of common knowledge even to the people at home, 7,000 miles away; let us suppose that courts-martial obstinately refuse to punish or to adequately punish the most flagrant crimes; let us suppose when the facts of an atrocious murder are forced upon the attention of the military authorities, the crime proven, and the criminal known, it is all waved aside as a matter of no consequence, and that this action is approved by the government at home; let us suppose that at last a general officer should throw down all pretenses of discipline and should proclaim to his soldiers that the more bloody and cruel and ferocious they were the better he would be pleased—let us suppose that these conditions exist in the best army in the world, I ask would they not be utterly subversive of discipline, would they not demoralize that army, would they not result in a reign of blood and crime and violence?

Mr. President, the charge we make is that just these conditions have existed and just these consequences have ensued. Who can say that that is a charge against the honor of the great body of American soldiers?

But, Mr. President, you must add one more condition to make this statement complete. You must suppose that these crimes have been again and again brought to the attention of the governmental authorities at home; that respectful requests have been made for some action that would put an end to these abuses; that these requests are at first met with cynical indifference, and when the demands become more sharp and insistent they are met with spurious investigations, which discover no single fact, and with sweeping denials of charges which are afterwards proven beyond the possibility of doubt or denial; and when the facts are established so plainly that they can no longer be disputed, let us suppose that the governmental authorities, and those who speak for them, should turn with the bitterest imprecations upon those by whose efforts the truth has been revealed and should show in every possible way that they have a deeper hatred for the man who exposes than they have for the man who commits the crime—I ask if that would not demoralize the best army in the world? I ask if it would not operate as a license to all the wicked, degraded, depraved, and ruffian characters in that army?

Mr. President, it is a fact that we have had an organized system of torture in the Philippine Islands—torture practiced frequently upon helpless noncombatants, upon men against whom there was no scrap of evidence, against whom no charge was made—torture prolonged until the victims fainted from agony, only to be revived and tortured again, until they had made a confession of guilt or betrayed their countrymen, or by their long endurance of agony convinced their persecutors that they had no crime to confess and no knowledge to reveal, or else until, as in some cases, they died from the torture.

Mr. President, it is a further fact, that though this was notorious throughout the whole army, though it was continued for months and years, no effort was made to suppress it, and no single torturer was ever punished for the crime. It is a fact that men of high character and standing, representatives of leading Republican, Administration newspapers, went in person to the commanding general and told him that they had not only seen a perfect orgy of looting and plunder, but that they had seen wounded prisoners butchered before their very eyes, and, though he did not deny it, he ignored it.

It is further true that this fact was brought to the attention of the Secretary of War in a letter over the signature of Robert M. Collins, the chief agent and representative of the Associated Press in the Philippine Islands, and it did not suggest to him the propriety of any inquiry or any investigation.

Another fact. It was revealed by the publication of a soldier's letter in the United States that there had been a murder of prisoners of war after the battle of Calocan. I want to say right here that this was one of the many cases that have occurred again and again where the most atrocious crimes remained unnoticed by the military authorities until they were accidentally revealed by the publication of a soldier's letter in the United States, and from the United States sent back to the Philippines.

In this case an investigation was ordered. The inspector-general of the district prosecuted that investigation and he reported that at least two—he did not know how many more—but at least two prisoners had been murdered, and the facts recited showed that there was strong reason to believe that it was done by the order of an American officer, Captain Bishop.

Mr. President, what was done with respect to that report? What followed that report? First, Mr. President, there was a great hue and cry raised and threats of prosecution against the soldier through whose letter the facts had been revealed; next, an attempt was made to stop all investigation by one of the principal heroes, one of the prime favorites of the War Department—General Funston—who lodged the complaint with General MacArthur that the inspector was showing too much zeal in seeking to uncover this crime; next, it was proposed to make a vicarious



sacrifice of a poor private soldier, one of the men who, under orders, had executed the prisoners; but when this was brought to the attention of the judge-advocate he saw that you could not kill even a private soldier or put him in the penitentiary without a trial, and he said that the soldier on that trial would bring out the fact that he acted under the orders of his superior officer, and that the facts developed would implicate too many others.

So, Mr. President, it was decided—it was officially decided—that there were so many engaged in this bloody business that it was better to wink at the crime of murdering prisoners of war than to expose the actual condition of affairs, and that lame and impotent conclusion was accepted by the War Department without a protest.

The Department itself had ordered an investigation of a charge that American officers had murdered prisoners of war. The answer came back that there had been so many men engaged in this practice it was too common a practice to bear investigation; and that answer seems to have been entirely satisfactory to our noble and generous and humane Secretary of War.

Mr. President, when, later on, in a sudden spasm of virtue, a court-martial did convict an officer of the crime of killing an unarmed and unresisting prisoner of war and had fixed upon him the disgracefully light punishment of five years in the penitentiary the President of the United States intervened in his behalf and commuted the punishment to a pecuniary fine and a slight reduction in his rank.

Mr. SPOONER. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER (Mr. DUBOIS in the chair). Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. CARMACK. I do.

Mr. SPOONER. Will the Senator please state what case that was and give the name of the officer?

Mr. CARMACK. That was the case of Lieut. Preston Brown.

Mr. SPOONER. Oh, yes.

Mr. CARMACK. Mr. President, I want to say when you talk about dishonoring the Army, that the man who does more than any other to dishonor the American Army is he who permits a cowardly convicted murderer to wear the uniform of an American soldier.

Mr. President, it is a fact that our court-martial trials over there are a travesty upon justice.

Mr. SPOONER. Will the Senator permit me to interrupt him again?

Mr. CARMACK. Yes, sir.

Mr. SPOONER. Does the Senator contend that the record shows that Lieutenant Brown was convicted by a court-martial of murder?

Mr. CARMACK. It does not say "murder."

Mr. SPOONER. No; but the Senator said "a cowardly murderer, a convicted murderer," as I understood him. Does the Senator contend that the record shows that Lieutenant Brown was convicted of murder?

Mr. CARMACK. He was convicted of this: He was convicted of killing an unarmed, unresisting, native Filipino prisoner of war in his charge; and I say that that is murder, whether they call it murder or not.

Mr. SPOONER. If that were true, it would be murder.

Mr. CARMACK. That is what he was convicted of; that was the very charge; it was the very language of the charge; and he was convicted of that—that is the record—of killing an unarmed, unresisting, native Filipino, a prisoner of war in his charge.

Mr. BATE. I wish to ask my colleague if the record shows that fact?

Mr. CARMACK. It does. I think I have quoted the exact language. I have it here, and it reads:

Lieut. Preston Brown, charged with murdering "an unarmed, unresisting, native Filipino, name unknown, a prisoner of war in his charge," convicted of manslaughter, and sentenced to be dismissed from the service of the United States and confined at hard labor for five years.

I was saying, Mr. President, that our court-martial trials over there have been a travesty upon justice. We have had men convicted of torturing helpless prisoners of war by hanging them by the neck, and the punishment inflicted was a reprimand; of looting, plundering, and firing upon peaceable citizens—punished with reprimand; the most outrageous acts of violence committed upon women and children—punished with a small fine; rape and murder—punished with imprisonment.

Mr. President, I ask if these unpunished crimes, these insufficiently punished crimes, did not constitute a license to all of the criminal elements of the American Army? We have had over there innocent, friendly guides butchered in the most horrible manner without the form or semblance of a trial, and though the facts subsequently developed showed that they were innocent, that they were loyal, that they by their faithfulness had saved the lives of their very murderers, no man ever was punished for

the crime. It has been shown in court-martial proceedings over there that natives were required to act as guides to betray their countrymen to American troops, and when they refused to do it their brains were beaten out with the butts of muskets. We have had repeated cases of indiscriminate firing upon peaceable citizens resulting in the killing and wounding of women and children, and the only record of any man ever having been punished for the offense is that of one officer who was reprimanded.

We have had a case brought to light, as so many others have been, through the letter of a soldier, where a number of soldiers surrounded a house, from which house there proceeded sounds of music and laughter. There was no body of armed insurgents there. It was a wedding party. And yet the soldiers fired in upon that peaceable wedding party, killing and wounding a number of women and children, and no man was ever punished for that. No notice was ever taken of it until the news had come back to the United States, having been accidentally revealed through the publication of a soldier's letter and forced upon the attention of the War Department, and, by that circuitous route, sent back to the Philippine Islands.

We have had towns and villages innumerable burned. We have had vast tracts of territory converted into a howling wilderness. Mr. President, when Smith issued his brutal and inhuman order, commanding his soldiers to practically kill everybody over 10 years of age, to murder all prisoners, to make the country a howling wilderness, I have no doubt that that shocked the conscience of a large majority of the American soldiers; but to every wicked, vicious, and depraved ruffian it said, "There is no more law; there is no more restraint; there is no more punishment for crime; you can do just as you please;" and, as I have said, there are enough bad men in every army to spread ruin and death and desolation in its path where no restraint is put upon them.

Mr. President, suppose when Lee invaded Pennsylvania, instead of issuing that humane, magnanimous order forbidding pillage and violence, he had said, "I want you to kill and burn; I want no prisoners; the more you kill and burn the better you will please me." Suppose Grant had issued such an order in the South; each of those great humane commanders would have burned a path of ruin and desolation as deep and as lasting as that of the Conqueror in Northumberland, and he would have left a memory to be execrated by the remotest descendants of the victims.

But, Mr. President, we have to deal not only with the ruffian element of our own Army, who are thus licensed to commit crime, but it is a fact that we turned loose upon those helpless people heathen Macabebe savages. It is a fact, not shown from the testimony of witnesses, but from the official reports of General MacArthur and of General Wheaton, that we turned loose upon those people heathen Macabebe savages, who carried on a perfect carnival of crime, plundering towns, murdering peaceable citizens, and ravishing women, and that the American commanders sought to conceal their crimes and protect them from punishment. It is admitted by General MacArthur and General Wheaton that when these men were employed and clothed with the uniform of the United States their propensity to murder and loot and ravish was well known, and after they had done all this they remained under the same commanders in the service of the United States! The excuse is made by General MacArthur that it was absolutely necessary to employ those savages in order to execute there the policy of the United States.

Mr. President, I have no charge to make against General MacArthur. I will accept as true the plea that the exigencies of the policy imposed upon our commanders did require that mediaeval torture should be inflicted, that it did require that we should employ known murderers of men and ravishers of women and clothe them with the uniform of the United States. I will admit, for the sake of argument at least, that these things were necessary to execute this policy; but I say that it constitutes the strongest indictment that could be made against any policy that it requires that such things shall be done by men wearing the uniform of the American soldier.

Mr. President, such were the methods which prevailed in the Philippine Islands, and yet the President of the United States in a public speech declared that we should have been justified in being infinitely more severe. We have adopted mediaeval tortures; we have adopted the Spanish reconcentrado policy; we have hunted men down like wild beasts and shot them if they preferred their own wasted country to the reconcentrado pens; we have made that country a howling wilderness; we have driven the people into the very jaws of famine, and yet the President of the United States calmly surveys the ruin he has wrought and, like another great imperialist, is astonished at his own moderation!

Mr. President, I say that we have a right to have the records of these courts-martial laid before the American Senate and given to the American people; and when we ask for them we are confronted with the pitiable excuse on the part of those who have

squandered hundreds of millions of dollars of the public money in this wicked policy and wasted four years in a bloody and devastating war that it would cost a dollar or two and would put the War Department to a little trouble.

Mr. President, we have seen enough in the newspapers with respect to the Glenn court-martial to make it important that the facts should be laid before the American people. I saw in a newspaper a report of some testimony taken in that trial. It was said that a number of natives were commanded to act as guides for American soldiers, and either because they would not or because they could not they were made to kneel and their skulls were beaten in with the butts of muskets, and no man has been punished for that crime.

I do not know whether those men were able to do what was commanded of them. I have it from a high official of the Philippines, recently in the city of Washington, that one peculiarity of the Filipino is that he knows very little of the geography of his country outside of his immediate neighborhood; that it had been the policy of Spain to keep them confined within their own neighborhoods, and that when the average Filipino got beyond that he was in a strange and unknown country. It may be, Mr. President, that these men were killed for not doing what they did not know how to do; but if they did know, and if they chose death rather than betray their countrymen, though their names are unknown and their graves are unmarked, they suffered martyrdom with as sublime a heroism as the most illustrious chieftain who ever died for the liberties of his country.

I do not know, Mr. President, whether Major Glenn was guilty of the murder of those men; I do not know that he had guilty knowledge of the act; but I know from newspaper reports of that trial that the crime was committed and that no man has been punished for it.

I know, further, that Major Glenn defended himself by citing the orders of General Chaffee and General Smith, and that he demanded that they should be brought before that court-martial to testify, so that he might confront them with his statements, and they did not come. I know he declared that the records of General Smith's brigade had been tampered with in order that they might not show the truth.

Mr. President, General Smith has been defended on the ground that his brutal order was not executed. If some of the testimony adduced in the Glenn trial by American officers is true, that order was executed with the most brutal and barbarous perfection. "Let them die," said General Smith, when told that several thousand people who had become friendly to the United States were starving to death in the mountains. "Let them die; the sooner they die the sooner we shall have peace."

Mr. President, there is the Brownell case. How does it happen, I want to ask, when we were assured by the President that he was going to conduct a most rigid investigation and was going to discover all of the crimes that had been perpetrated in the Philippine Islands—how does it happen that he never heard and never learned of the Brownell case, where a priest was tortured until he died? This man was tortured again and again until he fainted under the torture, and when he revived he was tortured the third time, when he died. I know that a complaisant physician who made the post-mortem examination in that case certified that this man did not die of the torture, but that he died of a broken heart—died from "mental anguish."

Mr. President, fortunately we know the meaning of the term "mental anguish" as it is used by the military authorities in the Philippine Islands, for when men were tried and convicted and reprimanded for torturing native Filipinos by hanging them by the neck they were found guilty of inflicting "mental anguish" upon their victims. You can fancy the "mental anguish" of a man who is hanging by his neck!

Mr. President, I do not know but that it would be a good idea to adopt some of these terms in our own law courts. It would not sound half so bad, and would rob death of a great deal of its terrors, if we would do so; if the judge, when he draws on his black cap to pronounce the sentence of death, should order that the prisoner at the bar should at such a time be taken to such and such a place and there suffer "mental anguish" in the neck until he is dead! [Laughter.]

I am not surprised that "mental anguish" is so fatal to people in the Philippine Islands. But, Mr. President, accept this statement as true and it at once destroys the pretense that this water torture is a gentle, humane, and persuasive method. It is said that this man was filled with agony and remorse; that as soon as he had been compelled to make his confession he felt that he was disgraced and dishonored, and he wanted to die and he prayed for death.

Mr. President, how great must have been the physical agony that could have extorted from such a man a confession which he would rather have died than reveal. I have no harsh words to say of Captain Brownell. I am willing to give all due weight to

what has been said in his behalf by the Senator from Vermont [Mr. PROCTOR], who knows him well. But the fact is that he repeatedly applied the torture to this priest, and that the latter died under the torture; and I suppose the Senator from Vermont himself would admit that this act was, in general, a violation of the rules of civilized warfare, and in particular a violation of the specific rules laid down for the government of our army in the Philippine Islands—orders and rules which every American officer is supposed to understand and by which he is supposed to be guided unless he receives contrary instructions from his superior officer. If Captain Brownell of his own volition deliberately violated the rules of warfare by torturing this priest to death, he is guilty of an atrocious crime and he ought to have been punished.

I want to say that, in my judgment, Captain Brownell was doing his duty as a soldier in the sense that he was obeying the orders of his superior officers. I believe he was doing what he was sent there to do. I believe he was doing what Chaffee wanted him to do and knew he was doing. One of the most dastardly things in this whole business has been the attempt of the commanding officers to saddle all the odium and all the criminality of these acts upon subordinate officers and private soldiers when they themselves are responsible for the crimes.

Mr. LODGE. May I ask the Senator from Tennessee a question? Was General Chaffee in command at the date of this occurrence?

Mr. CARMACK. I am not right sure.

Mr. LODGE. My impression is that it was General MacArthur who was in command. I have not the date here.

Mr. CARMACK. I do not remember the date when it occurred.

Mr. President, there is one other case which does not concern the torture of a Filipino. It is the torture and the murder of an American soldier. I refer to the case of Private Richter, tortured and killed by Lieutenant Sinclair, who was afterwards acquitted. The effort has been made and the statement has gone forth, apparently emanating from the War Department, seeking to represent this man as a debauched, depraved, and degraded beast, who died while suffering mild and proper correction. I have here a statement which purports to have been taken from the records of this trial and which I believe is correct, and I will read it to the Senate.

The case of Private Edward G. Richter, who was put to death by torture while serving his country in a foreign land, is surrounded with details so horrible as to challenge human belief.

Prior to his enlistment in the United States Army young Richter was an honest and respected citizen of Syracuse, N. Y., possessing the confidence and esteem of all who knew him. A brief outline of the details in connection with the murder of this young soldier are as follows:

At Dasmariñas, Cavite Province, P. I., on the night of February 7, 1902, Lieut. William B. Sinclair, of Company I, Twenty-eighth Infantry, commanded his subordinate to remove Private Richter from his quarters and bind him, hand and foot, to the ground. There being no rope at hand Lieutenant Sinclair hastily procured one from his own quarters near by, and the man was bound as directed.

At this juncture the unfortunate soldier must have had a premonition of the horrible fate that awaited him, for he cried out to his comrades, "They are going to kill me." To prevent further outcry the lieutenant ordered a gag placed in the already helpless man's mouth. Next a stick of wood was brought, and with this the gag was pressed firmly into the mouth, apparently so as to effectually shut off the breath. But the torture did not cease here.

By the officer's order a cask of ice water was brought to the scene. Dipping at a time, the water was slowly poured on the dying man's face. In the agonizing attempt to catch one last breath the bound man twisted and squirmed his poor, tortured frame as much as the cords which bound him would allow. According to witnesses this diabolical torture was continued for two hours and twenty minutes, even for a considerable time after the dying man's struggles had ceased. Lieutenant Sinclair was duly tried, charged with the murder of young Richter.

It has been my painful privilege to read the entire court-martial proceedings, covering some 20,000 words, and I give it as my own unbiased opinion that the testimony there adduced was sufficient to convict a hundredfold; but the accused officer was found "not guilty."

Absolutely the only atom of evidence presented at this trial which by any stretch of the imagination could be construed as unfavorable to Richter was to the effect that he was in a state of intoxication—which, if true, only adds to the enormity of the crime—and that he had used obscene language to the lieutenant who was torturing him. Also, that during the torture Richter had called upon his comrades to help save his life. But the testimony shows that even these frail charges were by no means concurred in by all the witnesses. There is not a word in the testimony to indicate that the boy at any time offered the slightest violence toward his so-called superiors. All in all, it is one of the most cowardly and revolting deeds that stains the whole calendar of crime.

The mother who had borne and reared her son to manhood is now passing her days in sorrow and grief. She has modestly asked the War Department to return to her the body of her boy and to furnish her with a copy of the court-martial proceedings which acquitted his murderer. Up to the present time both of these requests have been denied her.

Mr. President, I assert that in my opinion that is a true statement of what will be revealed by the records of that court-martial. I assert that it is not true that this man was a debased and degraded ruffian, but that he was a man of good standing and of good character. In my judgment the records of that court-martial, if they are laid before the Senate, will show that he was foully and brutally murdered; and we demand that the court-martial proceedings shall be made public; and we demand it not to defame the American Army, but to defend the honor and good name of a murdered soldier.



Mr. President, the plain truth is that Senators upon the other side of the Chamber know of the awful horrors that have been enacted in our Philippine war, but they do not care. The whole land has been blighted and ruined by fire and sword, with plague and famine following, like wolf and vulture, in the track of war. Perhaps nowhere in the world are there a people in a more pitiable plight than are the people of the Philippine Islands to-day. But we do not care. If any part of our own people had been thus afflicted Congress would have been called together in extraordinary session for their relief, large appropriations would have been instantly voted, and private charity would have poured out its bounties.

In this case it is not even a topic of conversation. It is not mentioned by Senators in private or in debate. It was absolutely ignored by the President in his annual message to Congress. He rhapsodized over the magnificent triumph of our American arms, but he had not one word of pity for our victims. No note of dolor was suffered to mingle with the victor's song. In his speech at Memphis the President declared that the people of the Philippine Islands had never been as orderly, as peaceful, and as prosperous as they are to-day. He declared that their progress in material well-being was absolutely astounding. Yet, Mr. President, at the very moment when he made that statement those people were actually and literally starving to death. At that very time the insular government was spending \$15,000,000 to buy food to stay the advance of famine—\$15,000,000 wrung from the people themselves; taxing starvation to feed famine. At that very time agriculture and all other forms of industry were paralyzed and prostrate, and the people were being driven, by sheer hunger, to brigandage and robbery, fighting no longer for liberty, but for bread. These were the actual facts as stated by Governor Taft in his report from the Philippine Islands.

Mr. President, if all the cereal crops of the United States should fail, if some plague should destroy nearly all the horses, the cattle, and the hogs in this country, the immense increase in the importation of food stuffs and of live stock that would ensue would not be regarded by any man as an evidence of prosperity in this country, but rather as the marks of a vast and overwhelming calamity. But in the Philippine Islands our President and our Secretary of War and our imperialist orators regard the food that is imported to feed the starving as showing the great commercial prosperity of a famine-stricken country. "The imports are so great and the people are so prosperous" because food is being sent there to feed the people who have no food at home, and which would not be sent there if the people were prosperous and if their crops had not been destroyed.

Mr. President, there is another aspect to this question besides that of mercy and humanity. I suppose it is vain to appeal upon that ground, but there is this practical aspect of the question. Mr. Roosevelt, in a speech made when he was governor of New York, said that our indifference to the welfare of the people of Alaska had made them prefer annexation to Great Britain, and the same condition would result, he said, if we showed a like indifference in the Philippine Islands. Governor Taft has told us that if our Government there is to be a success, if it is not to be a colossal and egregious failure, we must keep in office there the very best men, and he said it would be very difficult to get high-class men to remain in that country. He said that the opportunities and temptations for plunder and oppression would be very great, and that there must be a constant and most vigilant supervision on the part of the Government at Washington. How much vigilant supervision is exercised by the man who thinks that the country is enjoying the greatest prosperity when, as a matter of fact, it is actually starving to death?

The President has told us again and again that our war in the Philippine Islands was the most gentle, the most merciful, and the most humane ever waged in the history of this world. But we can not forget that the same President has told us that the people of the Philippine Islands were actually wallowing in luxury and fat content, when, as a matter of fact, they were perishing by the tens of thousands of plague and famine. How much confidence can you put in official information with respect to that unhappy country when the very source of information tells us that the people are the most prosperous people in the world, when, as a matter of fact, they are in the grip of famine and dying by the thousands and the tens of thousands, and when an appeal is lying right before this Congress to make an appropriation to keep this most prosperous people on earth from starving to death? The most prosperous people in the world! With torch and sword he had scattered plenty o'er a smiling land. He had made it a howling wilderness, but the most prosperous "howling wilderness" in the world.

Mr. President, the same vigilance that enabled the President to discover that these people were enjoying such marvelous prosperity, when they were starving to death, will enable him to discover that they are enjoying the best government in the world,

when, as a matter of fact, they are being oppressed and plundered by carpetbag adventurers, and when they rise in insurrection against intolerable oppression that vigilance will enable him to see that it is simply the innate devilment and wickedness of the people.

Mr. President, I have heard it said again and again, "There is no use talking about this Philippine question, because the people of the United States do not care what is going on in the Philippines." Our experiment there will fail disgracefully and disastrously because we do not care. If you are to have good government there, if you are to have tolerable government there, you must care; you must exercise an eternal vigilance for the welfare of the people, for, Mr. President, the price of bad government will be discontent, will be hatred, and sooner or later it will be insurrection and war, to be put down at the cost of the blood and the treasure of the American people.

Mr. President, I do not know whether this country will ever come back to the old traditions of the past. I have seen a vast change in the ideals of those who now lead the dominant party. The President of the United States in his public utterances has repudiated his own most fundamental political conceptions as laid down in his books. An eminent Senator on the other side of the Chamber has declared that in his judgment the abolition of human slavery was a mistake. Perhaps that eminent Senator, whoever he may be, contemplated the opportunity for vast profits by the employment of slave labor in the Philippine Islands and cursed the shortsightedness of the Republican party in abolishing slavery. I do not know how that is.

The Senator from Wisconsin [Mr. SPOONER] in a speech made during the last campaign expressed a wish that the present occupant of the White House could be fixed in that position for twenty years, in order that he might resist such revolutionary and socialistic doctrines as found expression in the New York Democratic platform. But, Mr. President, those who have launched this country upon a new and strange and revolutionary policy abroad can not complain if others follow their revolutionary example. The fatal work is done, and the door is thrown open to all forms of revolution when you destroy the reverence of the people for the old conservative traditions of the past. Those who have trampled down the principles and traditions which forbid this country to become the ruler of subject races can not complain if others trample down those old principles and traditions which define the scope and purpose of our Government at home.

Mr. President, it is said that we can not retreat; that it would be cowardly for us to retreat. I do not believe that it is an act either of folly or of cowardice to retreat from the bog to the solid highway upon which we have thus far traveled to glory and with honor. I believe, I firmly believe, that time will demonstrate the folly of all this business, and I earnestly hope time will find some cure for the blunder we have made.

Mr. LODGE. I ask that the resolution may go over without prejudice.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the resolution may lie on the table. Does the Senator mean as before—subject to call?

Mr. LODGE. Yes; I think it would be better in that way.

The PRESIDENT pro tempore. That will obviate the necessity of its being laid before the Senate every morning. The Senator from Massachusetts asks unanimous consent that the resolution may lie on the table subject to call. Is there objection? The Chair hears none, and it is so ordered.

#### STATEHOOD BILL.

Mr. QUAY. I now renew my motion that the Senate proceed with the consideration of the omnibus statehood bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

The PRESIDENT pro tempore. The Senator from New Jersey is entitled to the floor.

Mr. ALGER. Will the Senator from New Jersey yield to me for a moment?

Mr. KEAN. Certainly.

ROBERT C. GREGG.

Mr. ALGER. I ask unanimous consent for the consideration of the bill (S. 5219) to grant an honorable discharge from the military service to Robert C. Gregg.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent for the consideration of a bill, which will be read to the Senate for information.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War to review and to revoke the

order dismissing Robert C. Gregg from the service as a first lieutenant of the Forty-ninth Regiment United States Volunteer Infantry, and to issue a certificate of honorable discharge for him to date from the 31st day of March, 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 149) to provide for holding terms of court in the district of Utah; and

A bill (S. 3287) to fix the salaries of certain judges of the United States.

#### SALARIES OF JUDGES.

Mr. HOAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3287) to fix the salaries of certain judges of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, and 17, and agree to same.

That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: In place of "six" insert "seven," and the House agree to the same.

That the House recede from its amendment numbered 10.

GEORGE F. HOAR,  
CHARLES W. FAIRBANKS,  
GEORGE TURNER,  
*Managers on the part of the Senate.*  
JOHN J. JENKINS,  
D. H. SMITH,  
V. WARNER,  
*Managers on the part of the House.*

The report was agreed to.

#### LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Industrial Expositions, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of December, 1902, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, February 9, 1903.

#### STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. KEAN addressed the Senate in continuation of the speech begun by him on the 4th instant, and having spoken, with interruptions, for nearly an hour.

Mr. PATTERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. KEAN. Certainly.

[Mr. KEAN's speech will be published entire after it shall have been concluded.]

Mr. PATTERSON. My attention was attracted to what appear to be suggestions from the Senator from Maine [Mr. HALE] that there are no good, substantial reasons for the admission of New Mexico, in connection with which he told an anecdote, the full import of which I did not gather, but I thought it would be quite apropos to read a very short extract from a speech by a very distinguished Republican, made at Las Vegas, N. Mex., on the 25th of June, 1899—made by the present occupant of the White House. It was at a reunion of the Rough Riders, and this is an extract taken from the speech which he made at that time, which was published in the Las Vegas Daily Optic. It was sworn to by the publisher of that paper as a correct report of his remarks. It is very short, and it may furnish an opportunity for further digression by Senators who oppose the admission of these Territories, as I take it that opportunities for digression are what they are mostly seeking for at this time. The extract I referred to is as follows:

I can not say how glad I have been to come here. I never was in New Mexico before, but I never felt like a stranger for one moment among you. [Applause.] I claim the same right that each of your sons claims of glory,

and take pride in the name and fame of New Mexico. I am an American, as you are Americans, and you and I alike have the right to claim as our own every acre and rod of country from Maine to Oregon; from Florida to California. [Applause.]

It seems that a shower came up at about that time and the speaker said:

The heavens have been more than propitious so far and we must not complain of this shower. All I shall say is if New Mexico wants to be a State, you can count me in, and I will go to Washington to speak for you or do anything you wish.

Mr. KEAN. What was the date of that speech?

Mr. BATE. By whom was it delivered? The Senator should state that.

Mr. PATTERSON. It is an address delivered by Hon. Theodore Roosevelt, now President of the United States, at the Rough Riders' reunion, on Sunday—"the better the day, the better the deed"—June 25, 1899, at Las Vegas, N. Mex.

Mr. KEAN. That was not a speech in favor of the omnibus bill.

Mr. HALE. Does the President indicate in that rather large contract that he entered into that he had never been in New Mexico before?

Mr. PATTERSON. That is what he said.

Mr. HALE. He was a stranger?

Mr. PATTERSON. He was a stranger.

Mr. HALE. Speaking from his impressions?

Mr. PATTERSON. He was a stranger, but they did not take him in. [Laughter.]

Mr. KEAN. But they tried to.

Mr. GALLINGER. He took himself in.

Mr. PATTERSON. I am quite convinced that they could not play any gold-brick game on the honorable gentleman who was addressing that meeting; but I am inclined to think that President Roosevelt was not at all ignorant of the history of the country, nor of the part New Mexico had played in the country's history, nor of the part its men played in the war from which we emerged with so much glory, and I imagine also that he was not ignorant of the moral obligation that rested upon this country by virtue of the treaty—

Mr. KEAN. What moral obligation of the treaty?

Mr. PATTERSON. By which that great territory was annexed to the United States; nor, I take it, was a man, who had been so long connected with public affairs, ignorant of the section of the country and its conditions of which he was then an honored and invited guest, and I am inclined to think that at that time the President of the United States spoke his honest sentiments, sentiments that a majority both of the Senate and House of Representatives echoed.

This bill passed the House of Representatives by a tremendous majority, and there are those who say that if an opportunity was given in this body it would pass this body by a very decided majority. So we have the very condition of things that the parties to the treaty of Guadalupe-Hidalgo contemplated. Congress is now ready to admit these Territories if those who are opposing the measure will but give the Senate an opportunity to vote, so that the record made on this side of the Capitol may coincide with the record made on the other side.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Maine?

Mr. KEAN. Certainly.

Mr. HALE. I only wish to say that I have no doubt that the President was sincere at the time that he made that speech. It does not disclose that he had made a thorough examination into the conditions of New Mexico; but with the impressions upon his mind, the feeling that animated him, he was in favor of the admission of New Mexico; but, Mr. President, there is nothing in that speech that indicates that the President at that time was in favor of the admission of New Mexico with bare, barren, sparsely populated Arizona tacked on it as a rider, and Oklahoma, with varying conditions, not in the slightest degree touching those of New Mexico, tacked on as another incident. There is nothing whatever in that speech that indicates that the President in any way then, there, or now was, or is, in favor of this omnibus bill, admitting all these Territories together.

If some enthusiastic person in the audience which the President addressed, some denizen of Arizona, who had strayed far enough away from that Territory to be present at the meeting which the President addressed, and thinking of his own region, instead of New Mexico, had arisen and asked the President whether he was in favor of the admission of New Mexico with Arizona attached, does the Senator believe that the President had enthusiasm enough at that time to have favored that proposition also?

The President was talking about a single bill for the admission of New Mexico standing upon her own merits, whatever they may be. One of the great objections that we have to it is that it is lumped together with other measures, and sought to be put



through as an omnibus bill. I know of no record of the President or of anybody who is opposing this bill which ever indicated that they would support such a proposition as is presented here by the minority.

Mr. BATE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. KEAN. I yield to the Senator from Tennessee.

Mr. BATE. As a part of history, the Senator from Maine. I think, will find, if he will search the RECORD of the proceedings of the other House, that there were three separate bills there introduced and ready to be acted upon, which passed the committee, and that the House of Representatives gave an instruction or an order, which I think is in the RECORD, that the three bills should be united into an omnibus bill. The House has done that and put the bill in this shape. That is a Republican House, and Republicans voted for it.

Mr. HALE. Is there anything to hinder the Senate committee from separating them and putting each of these Territories in a separate bill?

Mr. BATE. I understand, sir, there was an order in the House that the different bills should be united in an omnibus bill.

Mr. HALE. Yes; but that does not bind the Senate.

Mr. BATE. Perhaps not; but has the minority here attempted to put those bills through separately; and if so, when? Has the minority proposed statehood for a single one of these Territories? I understand not, nor has there been any effort made to put a single one of them through or to give us a chance to vote upon the bill at all.

In reply to what the Senator from New Jersey said in reference to the speech of the President, I beg leave to read the closing words of what the President said, and let us see if he did not mean to assist New Mexico even at that time, if it were necessary. The closing words of the President's speech, addressing that audience in New Mexico, are:

All I shall say is, if New Mexico wants to be a State you can count me in, and I will go to Washington to speak for you or do anything you wish.

I think that is language plain enough and distinct enough to show what the President then desired to do. But whether he has changed his opinion or not is, I suppose, a mere matter of surmise, for I do not know what his position is now. I do not belong to his party and do not know what he thinks about this measure, nor do I know what his final action regarding it will be if the bill should come before him for the admission of these Territories; but there is the declaration of Colonel Roosevelt, now the President of the United States, and I have seen no recantation of it.

Mr. KEAN. Mr. President—

Mr. PATTERSON. Will the Senator yield to me for a few moments?

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. KEAN. I yield to the Senator from Colorado.

Mr. PATTERSON. With reference to the question that was before Colonel Roosevelt when he made his speech at Las Vegas, it is very true there was no proposition to lump three Territories together for admission as three separate States; but as I have listened to the objections to the omnibus bill from the other side of the Chamber, they have been concentrated almost exclusively upon New Mexico. New Mexico is the sore spot in the measure; and that, I discover, is chiefly by reason of the fact, until the Mormon bugaboo was started the other day, that the people speak Spanish, that the children play in Spanish, and that some of the business houses have Spanish signs over their doors to indicate—

Mr. KEAN. What did the Senator say—that the children play in Spanish?

Mr. PATTERSON. Yes; they play in Spanish. They leave school where they have been taught English during the day, and they have so much love for what we would term their mother tongue that they actually forget English for the time being and play tag and puss in the corner and games of that kind in the Spanish language, which of course is quite a disqualification for statehood, or it would be when they come in.

But, Mr. President, the main objections have been urged against New Mexico, and those objections have attacked the qualifications of the citizenship of New Mexico.

So far as Arizona is concerned, the chief objection has been to the lack of numbers and not the quality of the people. It is admitted that Oklahoma has a population sufficient, I think, for at least two members of Congress, nearly 400,000, a population that is composed of the very best blood and the very best people of the American race.

So when we show that a most distinguished statesman and a most distinguished Republican leader, one upon whom at that time the eyes of the Republican party were concentrating as a proper person at least to fill the great office of Vice-President of the United States, most heartily and enthusiastically pledged

himself even to go to Washington for the purpose of securing the admission of New Mexico as a State in the Union, then the objections to the omnibus bill ought to vanish.

It is not at all unusual for States to be admitted into the Union in a group. That has been the practice ever since the adoption of our Constitution and the passage of the Ordinance of 1787. If the grouping of three Territories in one bill for admission as three States were at all unusual, then an objection based on that fact might carry some weight with intelligent Senators, but I submit to the Senate that it has been the exception to admit a State singly; that the usual course has been to group several States, admitting them either in one bill or at one session, it being understood that the admission of one was dependent upon the admission of another.

So I again suggest that that most emphatic and earnest and unqualified indorsement of New Mexico by the gentleman who is now President of the United States should carry conviction even to unwilling Republican minds.

Mr. QUAY and Mr. ELKINS addressed the Chair.

Mr. KEAN. Mr. President, I trust the Senator—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Pennsylvania?

Mr. KEAN. I yield.

Mr. QUAY. Mr. President, recurring to the suggestion of the Senator from Maine [Mr. HALE] that the proposition for the admission of the Territory of New Mexico as a State is an entirely different proposition from the omnibus bill, I ask the Senator from Maine whether, in the event there is an agreement for a division of the question and that a vote shall be taken as to the admission of each Territory separately, he and those who are acting with him in obstructing the passage of this bill through the Senate will agree to fix a day for a vote?

Mr. HALE. Oh, well, that is a non sequitur. But if the question were divided and it came separately, I should certainly vote for New Mexico quicker than I would for Arizona. I should like to have the opportunity of discriminating, and I think we ought to have it.

Mr. QUAY. There will be no opportunity to discriminate unless there is an opportunity to vote.

Mr. HALE. There will be an opportunity to discriminate when we do vote.

Mr. QUAY. When will we vote?

Mr. HALE. I can not tell the Senator. I am not in charge of the measure; I do not know. I will assure the Senator that I would rather vote for New Mexico than for Arizona.

Mr. QUAY. I should be very glad to have a date fixed for this discrimination, if it is ever to occur.

Mr. ELKINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from West Virginia?

Mr. KEAN. Before yielding to the Senator from West Virginia, I want to ask the Senator from Colorado a question. That is, whether he would give us the same assurances now on the admission of these Territories that he gave in the House of Representatives—in 1875, I think it was—when he was urging the admission of Colorado as a State in the Union.

Mr. PATTERSON. I was not then a member of the House of Representatives.

Mr. KEAN. Was not the Senator a Delegate?

Mr. PATTERSON. I was not a Delegate when Colorado was admitted into the Union. Mr. Jerome B. Chaffee was the Delegate from Colorado at that time.

Mr. KEAN. It must have been at a previous time. I made a mistake as to the date. I beg the Senator's pardon.

Mr. ELKINS. Mr. President—

Mr. KEAN. I yield to the Senator from West Virginia, although I had not quite completed reading from his remarks. I can do it after he has concluded.

[Mr. ELKINS addressed the Senate. See Appendix.]

Mr. CLAY. Mr. President, the Senator from New Jersey [Mr. KEAN] certainly does not desire to do an injustice to the people of New Mexico and Arizona, but the Senator has undoubtedly done them an injustice. The Senator has referred to the fact—and it has been referred to on this floor time and again—that the people of New Mexico and Arizona were in favor of polygamy; that they were ignorant; that they were repudiationists. It is perfectly legitimate to stand on the floor of this Chamber—

Mr. KEAN. I beg the Senator's pardon. I did not refer to them as repudiationists.

Mr. CLAY. In one moment I will yield to the Senator.

It is perfectly legitimate to stand on the floor of this Chamber and present proper arguments against the admission of these Territories to statehood, but to stand here and do an injustice to

those people, Mr. President, is an act which some day Senators will regret.

Now I yield to the Senator from New Jersey.

Mr. KEAN. I merely wish to call the attention of the Senator to the fact that I did not allude to those people as repudiationists.

Mr. CLAY. I did not especially refer to the Senator from New Jersey when I stated that those people had been spoken of as repudiationists, but it has been charged on this floor that the people of Arizona were repudiationists, and when an investigation was made it was demonstrated that they were in favor of the payment of their debts, but that Congress had done them an injustice in requiring them to pay bonds that were fraudulent, and which ought not to have been paid.

The Senator from New Jersey has said upon this floor that there was great danger in the admission of New Mexico to statehood, because of the large number of Mormons in that Territory. Why, Mr. President, if you will refer to the census report you will find in 1890 that, with a population of 180,000, there were only 456 Mormons in New Mexico.

Mr. KEAN. Will the Senator yield to me?

Mr. CLAY. With pleasure.

Mr. KEAN. The Senator is mistaken. I know perfectly well what the Mormon population in New Mexico is according to the census report, for I have it here. I call the Senator's attention to the statement which I made, which was that there were 400 and odd Mormons, I believe, in New Mexico.

Mr. CLAY. Four hundred and fifty-six.

Mr. KEAN. Four hundred and fifty-six. I made no extravagant statement as to the number of Mormons in New Mexico.

Mr. CLAY. I did not say that the Senator from New Jersey made an extravagant statement in regard to the number of Mormons in New Mexico, but the Senator stated that great danger was likely to come by reason of the Mormon population in that Territory, which is only 456.

Mr. KEAN. That was twelve years ago.

Mr. CLAY. And the best information that I can obtain at the present shows less than 1,300 Mormons there at the last census.

Mr. KEAN. It has considerably more than doubled.

Mr. CLAY. Yes. I will call the Senator's attention to the fact that in Idaho, by the census of 1890, there were 14,972 Mormons, and if you will examine the census returns as to the population of Utah you will find that there are 118,201 Mormons there, while there are only 456 in New Mexico and 6,500 in Arizona.

Mr. President, we ought not to do those people an injustice. The time may come—and it ought to come now—when we will admit those people to statehood, and we shall be ashamed of the treatment we have accorded to them during this debate. They are all American citizens; they can be classified among the best people of this Republic, and it is wrong to stand upon this floor and denounce them in the way they have been denounced.

I want to call the attention of my friend from New Jersey to a statement he made, for I do not believe he desires to do injustice to any one. He said that New Mexico and Arizona had never given an expression against polygamy. If the Senator had taken the trouble to read the history of New Mexico, he would have found that in 1889, when she adopted her constitution, she provided that polygamy should forever cease in that Territory; and I have that constitution before me. That constitution was adopted with practical unanimity, and we find that the Secretary of the Interior in submitting it to Congress said:

Referring again to the constitutional convention held in 1889, I beg to submit its work herewith as an evidence of the character, ability, fairness, and broadness of the people who framed it, and who were representative New Mexicans. I submit it confidently, to compare favorably as a state document with any of the constitutions adopted by the older States, and earnestly invite your attention to the same as showing the qualities of mind and character of thought representative of the people of New Mexico upon this organic measure.

If the Senator would turn to the bill of rights in the constitution adopted by the Territory of New Mexico in 1889, he would find that the people whom he has charged with being polygamists provided in section 14 of their bill of rights, as follows:

SEC. 14. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, is hereby guaranteed, and no person shall be rendered incompetent to be a witness or a juror on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not excuse acts of licentiousness or justify polygamous practices or other acts inconsistent with morality or the peace or safety of the state, nor permit any person, organization, or association, directly or indirectly, to aid or abet, counsel or advise any person to commit bigamy or polygamy or any other crime.

Now, mark you, Mr. President—

Bigamy and polygamy are forever prohibited—

By this constitution adopted in 1889 by New Mexico and submitted to Congress. If the enabling act had been passed, New Mexico would have become a State. I understand now that the people of New Mexico are ready at this time to present this identical constitution to Congress. All they ask is an opportunity for statehood.

I did not rise for the purpose of making a speech, but I do believe it is wrong for a Senator to stand here and charge those people as being repudiationists, charge them with being polygamists, and charge them with being ignorant, when they are an intelligent, progressive, and enterprising people, who at no distant day will constitute States in this Union of which we shall all be proud.

Mr. KEAN. Mr. President—

Mr. NELSON. Will the Senator from New Jersey yield to me?

Mr. KEAN. I will yield to the Senator from Minnesota in a moment. Before yielding, however, I would like to say that I am not in the least disturbed by the remarks of the Senator from Georgia [Mr. CLAY]. I do not think that I charged the people of New Mexico wrongly. All I was contending for was a proper amendment to this omnibus statehood bill to prohibit polygamy. With the growing power of the Mormon Church, I think such a provision is necessary, and I think the Senator from Georgia will agree that it is necessary. I have looked through the statutes of Arizona, and all I could find on this subject was what I read on Saturday last. There may be other statutes, but I do not know of them. I was not aware until a little while ago of the provision of the constitution of New Mexico which the Senator has read, but I certainly did not charge that any statute had been passed in New Mexico that gave polygamy any standing whatever. What I complained of was that not sufficient attention had been given to this subject in the pending bill.

Now I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I desire to make a brief statement to correct some of the misapprehensions under which Senators seem to labor. First of all, I was struck by the circumstance that the Senator from Colorado [Mr. TELLER], who is usually very correct in his statements, the other day called attention to the fact, as he claimed, that it was really New Mexicans that expelled the Confederates from New Mexico during the civil war. In that I think the Senator unwittingly did an injustice to his own State. As a matter of fact, and it is also a matter of history, it was a regiment from Colorado, a regiment of "Pike's Peak," under the command of Colonel Slough and Major Chivington, that went into New Mexico and turned the tide of the Confederate invasion.

I wish to read very briefly in this connection from Bancroft's History of Arizona and New Mexico:

Colorado's experience in the civil war has been elsewhere recorded in the volume devoted to that Territory. Here it must suffice to state that by the energetic efforts of Governor Gilpin and his associates a Union force was raised, which not only defeated all Confederate hopes at home, but was also able to go abroad and turn the scale in New Mexico. Two companies, which later became A and B of the Second Colorado Volunteers, were mustered in December, 1861, going to New Mexico in January, 1862. Company B, Capt. T. H. Dodd, served under Canby at Valverde, as we have seen, and Company A, Capt. J. H. Ford, remained at Fort Union.

The First Regiment of Colorado Volunteers was commanded by Col. J. P. Slough, S. F. Tappan being lieutenant-colonel and J. M. Chivington major. The regiment was composed largely of "Pike's Peak," the best of fighting material, intensely loyal to the Union, always eager to go to the front, but not taking kindly to the restraint of military discipline when there was no fighting to be done. Whole companies were often under arrest for mutiny, and an order to march to the relief of Canby, obtained by Major Chivington from General Hunter mainly with a view to prevent the disintegration of the regiment, was welcome to all. The troops left Denver in February; the different divisions united March 7 at the foot of the Raton pass. A march of 64 miles was once made in twenty-four hours, and the regiment arrived at Fort Union on the 11th-13th of March. Maj. G. R. Paul, colonel of New Mexico Volunteers, was in command of the post, but was ranked by Colonel Slough, who assumed command of the united forces.

On March 22, Colonel Slough's army of 1,342 men, including 300 regular troops, marched from Fort Union toward Santa Fe, encamping at Bernal Spring on the 24th. On the 25th the advance of 400 men, half of them mounted, encamped near the old Pecos ruins, and a scouting party, under Lieutenant Nelson, captured 4 men of the enemy's picket, 5 miles farther west at Pigeon's rancho. Next morning Major Chivington advanced with all force; and about a mile beyond the rancho, at the mouth of the Apache Canyon proper, found a Texan battery posted, which opened fire. This was about 2 p. m. The Federal infantry deployed to the canyon slopes as skirmishers, advanced to the attack, the cavalry remaining behind a spur in the ravine, with orders to charge when the battery showed signs of retreating. The battery presently fell back a mile or more, but Captain Howland failed to charge as ordered. The new position of the Texan guns was at a bend in the canyon, across a dry arroyo bed, supported by the infantry, strongly posted among the rocks and on the summits.

Chivington repeated his former maneuver, but dismounting Howland's and Lord's men to strengthen the infantry on the flanks, he left the cavalry charge to 100 Colorado horsemen under Captain Cook. After a sharp fight on the flanks the battery yielded and Cook dashed forward, his horsemen leaping the arroyo with a yell and charging through and through the enemy's ranks. Cook fell severely wounded, but Lieutenant Nelson took his place. The infantry, under Captains Downing and Wincoop, cooperated most effectively; the Texans were driven from the field, and the fight of Apache Canyon was won.

Mr. TELLER. Will the Senator allow me to correct him?

Mr. NELSON. Certainly.

Mr. TELLER. I never made any statement of the kind the Senator has attributed to me. I only claimed that the New Mexican soldiers had assisted in the expulsion of the Confederates. The New Mexicans had three regiments in that fight and Colorado had one regiment. I do not know who did the work, but I know it was well done. I have never claimed that the New Mexicans did all the work and that our soldiers did not do their share.



I want to say to the Senator that I am entirely familiar with that transaction. In the regiment from Colorado all of the officers were acquaintances and friends of mine, as were very many of the common soldiers; and I should like to say now, while upon the subject, that in that campaign a Colorado regiment of infantry made a march of over 60 miles in twenty-four hours, and went into that battle at the dawn of day, assisting General Canby with his New Mexican troops. I will not allow the Senator to put upon the record a statement that I claimed that the New Mexican soldiers did this work alone; for I made no such statement, and nothing which I said could be tortured into it.

Mr. NELSON. Mr. President, the most that can be claimed for the New Mexicans during the civil war was that they were to a large extent passive. The turning of the tide of the Confederate invasion of New Mexico was largely through the efforts of this regiment of Colorado Pike's Peakers, in connection with about 300 United States Regulars. But I will take no more time upon that subject. I only refer to it incidentally to show how sometimes we are prone to exaggerate and give credit where credit is not due.

Now, I want to call attention to some of the statements of the Senator from West Virginia [Mr. ELKINS], which were utterly wide of the mark. He claimed, in his remarks a moment ago, that there were over 300,000 people in New Mexico, and that three-fifths of them are now Americans. I have examined the last annual report of Governor Otero, of New Mexico, and the most he claims is 234,000, and out of that he says that the Spanish-Mexican population is 144,000 and the American population only 90,000. That shows that the Senator from West Virginia is entirely mistaken.

At the close of his speech the other day, and I had not the opportunity of being in the Chamber at that time, owing to the fact that I was engaged in committee work, the junior Senator from Ohio [Mr. FORAKER] referred to the character of the population in the State of Minnesota and took occasion to compare them with the population of New Mexico. It is true that in Minnesota we have a large foreign population; but a large proportion of that foreign population are English-speaking people. Out of a total foreign population of about 500,000 in Minnesota nearly 90,000 are English-speaking foreigners from Canada and the British Isles. They come over familiar with our language and they immediately become valuable members of the community. The remainder of our immigrants in Minnesota are either from Germany or the three Scandinavian countries—Denmark, Sweden, and Norway. Everyone who is at all familiar with the facts knows that there is no class of people coming to this country speaking another tongue who more rapidly learn the English language and become good American citizens. The first generation of children of these German and Scandinavian immigrants become thoroughly Americanized; they speak the English language, and in many instances never are able to learn the mother tongue of their parents; in fact, they frequently grow up without any knowledge of it.

Minnesota has been settled to a large extent by immigrants and the children of immigrants, and it is to-day one of the most prosperous and progressive States in the Union. In the matter of intelligence, in the matter of literacy, and in all that goes to make up a State it will compare favorably even with the State of Ohio, and there is no occasion to compare it with the Territory of New Mexico.

I find on looking at the census reports for 1890 that the percentage of illiteracy in the State of Ohio was 4.8 per cent, while in the State of Minnesota it was only 4.1 per cent. Compare that with New Mexico, with its 28.3 per cent, and the Senator from Ohio will see the difference as to the conditions existing in Minnesota and New Mexico.

As I have said, we have one of the most prosperous and progressive States in the Union. We have a school fund, which we have secured from the proceeds of the sales of the public lands given us by the United States, of over \$15,000,000 invested in interest-bearing securities. Notwithstanding other States got as large a school land grant as we did, we have a greater school fund in the State of Minnesota than any State in this Union outside of the State of Texas.

We have in our State a State university with over 3,500 students and with a curriculum only second to that of a few of the leading institutions of learning. I think there are only three universities in all the United States that have a larger attendance of students than has the University of the State of Minnesota. We have connected with that university a school of practical agriculture, the leading and most eminent one of its kind in all this country, with an attendance of from seven to eight hundred students, where the sons and daughters of farmers are taught all that pertains to farming and the agricultural interests of the country.

We are the most progressive State in the way of regulating

and controlling the great corporations of the country. We have in our State a board of railroad and warehouse commissioners, and we have given them what the Federal Government has refused to give to our own Interstate Commerce Commission, authority to fix transportation rates; and the rates which this board fixes are valid and binding until set aside by the courts.

We have in our State an elevator and warehouse law, by which railroad companies are required to permit warehouses and elevators to be built along their right of way. We have compelled the railroads where they intersect one another to put in Y's, so that loaded cars may be transferred from one intersecting railroad to another, and I doubt whether another State in the Union has such a law.

All this legislation, Mr. President, we have secured in the face of the opposition of the railroad companies and their friends. A large share of this liberal and broad-minded legislation, intended to protect the farmers and industrial classes of the country against the inroads of the great corporations, has been secured through the energy of the representatives of foreign birth in our legislature. The leader in the house of representatives of the Minnesota legislature for the last six or eight years, a man who is recognized by all elements as the leader of the house, and who has secured a great deal of the progressive legislation in that State, is a man who was born on the other side of the sea, in one of the Scandinavian countries.

Compare the record of the people of Minnesota with that of New Mexico. In 1878, after New Mexico had been a Territory of the United States since 1850, the legislature of the Territory, in defiance of the statutes of the United States, in defiance of all right and justice, passed a law to incorporate the Jesuit Society. Let me read the act. I read from Senate Miscellaneous Document No. 43, second session, Forty-fifth Congress:

An act to incorporate the Society of the Jesuit Fathers of New Mexico.

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That Donato Gaspari, Rafael Baldasaré, Luis Gentilé, Salvador Personé, and Pascual Tomasine, of the counties of San Miguel, Mora, and Bernalillo, in the Territory of New Mexico, and all other persons who are now or in the future may associate themselves with them for the purposes hereinafter mentioned, be, and hereby are, created a body politic and corporate, in law and in fact; and they shall be known and called by the name, style, and title of that of the "Association of the Jesuit Fathers," and by this name may hereafter have perpetual succession, sue and be sued, plead and be impleaded, in any court of law or equity—

I call attention to this—

may hold and reserve to themselves and for their successors, either by grant, contract, sale, transfer, gift, testament, legacy, or in any other manner, lands, tenements, hereditaments, and all and every class of real or personal property, and may cede, contract, sell, and transfer the same, for the use and benefit of said Society of the Jesuit Fathers so incorporated; and singular and generally may do each and every thing that such corporation may and be legal for them to do, for the welfare, benefit, and advancement of said Society of the Jesuit Fathers hereby incorporated.

It is curious to see how this act was passed. I am reading from this same document—

Introduced by the Hon. Diego Archuleta January 11, 1878.

Read the first time, and, the rules being suspended, was read the second and third times, and passed the legislative council January 11, 1878.

JESUS M. SENA Y BACA,  
Chief Clerk of the Legislative Council.  
HOUSE OF REPRESENTATIVES.

Received January 11, 1878.

Received on the same day it passed the legislative council.

Read the first time, and, the rules being suspended, was read the second and third times, and passed.

It was passed under suspension of the rules in both houses. Here is a further indorsement:

An act to incorporate the Society of the Jesuit Fathers in New Mexico, introduced by Diego Archuleta January 11, 1878, read the first time, and, on a suspension of the rules, was read a second time, and the rules being further suspended, the act was read the third time, and passed the legislative council January 11, 1878.

This act was sent to the governor for his approval. The governor vetoed it, and here is his veto message. It is a very interesting document, and I want to call attention of Senators to it:

GENTLEMEN: I return to you with my objections "An act to incorporate the Jesuit Fathers in New Mexico."

For the purpose of obtaining for your information the best legal advice within my reach, I requested the attorney-general of the Territory, Hon. William Breeden, to prepare a careful opinion upon the law of the case. This opinion I make part of my message and lay it in full before you. Attorney-General Breeden says: "The bill, in my opinion, is clearly in violation of the said law of the United States."

This opinion I fully indorse, and if you pass this bill over General Breeden's opinion and my veto you will do so with your eyes open, in violation of your oaths of office and the laws of the United States. There are many other objections to the bill, a few only of which I will briefly notice.

It is difficult to decide whether the man who seeks to establish the society or the society which he seeks to establish is the worse. Both are so bad you can not decide between them. This Neapolitan adventurer, Gaspari, teaches publicly that his dogmas and assertions are superior to the statutes of the United States and the laws of the Territory. No doctrine or teaching can be more dangerous to good government than this, especially in New Mexico, where the mass of the people are ignorant. He also, by his writings and harangues, endeavors to excite animosities and to stimulate the people toward those lawfully exercising civil authority over them to acts of violence. He comes here while the legislative assembly is in session and lobbies in the

most brazen and shameless manner to defeat needed and wholesome laws, and to force through bills antagonistic to the laws of the United States.

Two years ago he intruded himself into the lower house and remained within the bar and by the speaker's side till he forced the passage of this bill, but at that session it was defeated by an honest legislative council. He now presents himself again, and being fully informed that what he asks is contrary to the laws of the United States, urges you to violate your oaths and pass the bill.

The society which he seeks to establish in New Mexico is worthy of just such a leader. It has been denounced time and again by the head of the Catholic Church, and justly expelled from the most enlightened countries of Europe.

But apart from the bad character of the society and the dangerous character of its chief, the bill is especially objectionable because it does not require that the incorporators shall be citizens of the United States nor residents of New Mexico. The number who may hereafter associate with them is unlimited, and they might all be aliens and reside abroad.

Again, the bill permits these people to own, free of taxation, an unlimited amount of property. They are permitted to own all kinds of real and personal estate in all parts of the Territory, and are not subject to any supervision by the legislature nor required to pay anything toward the support of the government. The provisions of the bill are contrary to public policy and in direct violation of the laws of the United States, and can not receive my approval.

Then follows the opinion of the Attorney-General calling attention to the statutes of the United States and pointing out plainly that such legislation is directly in violation of the United States statutes.

Now, what do you think they did after that veto? I read from the same document:

There was taken up from the president's table and under consideration act No. 3, "To incorporate the Society of the Jesuit Fathers in New Mexico," submitted by his excellency the governor, with his objections and disapproval, and the said act having been read, the question was put, "Shall the act pass, notwithstanding the objections of his excellency the governor?" which resulted by a vote of the council in the passage of the act in the legislative council by a two-thirds vote of the members composing the legislative council, notwithstanding the objections and disapproval of his excellency the governor.

January 18, 1878.

JESUS M. SENA Y BACA,  
Chief Clerk of the Legislative Council.

Sent to the house of representatives for its action, together with the objections of his excellency the governor, and returned from the house on the 19th day of January, 1878, having passed that body by a two-thirds vote, notwithstanding the objections and disapproval of his excellency the governor.

They passed the bill in both houses on the same day. It was sent to the governor, and after the governor had vetoed it and called their attention to his own veto and also in the letter of the Attorney-General to the fact that it was contrary to the laws of the United States, they passed it in both houses on the same day over the governor's veto.

That act came before Congress. Congress was compelled to pass an act annulling that law. It is an act passed in 1879, and is as follows:

*Be it enacted, etc.,* That an act of the legislative assembly of the Territory of New Mexico entitled "An act to incorporate the Society of the Jesuit Fathers of New Mexico," which passed both houses of said legislative assembly on or about the 18th day of January, 1878, over the veto of the governor of said Territory, being in violation of section 1889 of the Revised Statutes of the United States, which declares "the legislative assemblies of the several Territories shall not grant private charters or especial privileges," said bill being a grant of a private charter or act of incorporation, with the "especial privileges" of an unlimited power to acquire, hold, and transfer all kinds of property, both real and personal, and the exemption from taxation of all the effects and property of said corporation be, and the same is hereby, disapproved and declared null and void.

This act was approved February 4, 1879.

All these things occurred when, or about the time when, my friend the Senator from West Virginia [Mr. ELKINS] was a delegate in Congress laboring to get that Territory admitted as a State in the Union.

I desire to ask the Senator from Ohio [Mr. FORAKER], who has taken pains to parade the figures of the foreign population of Minnesota and to compare them with those of New Mexico, if he can find in the legislative history of Minnesota, either as a Territory or a State, any instance of that kind of legislation. Our public school system in the State of Minnesota is equal to the very best in all of the United States. We are as progressive and as prosperous as any State in the Union, and no State can fairly say to us, not even the State of Ohio, that we occupy an inferior rank, except in population and wealth, in the galaxy of the American States.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. FORAKER. Mr. President, the Senator from Minnesota asked me a question, and in the asking of the question said I had arraigned the State of Minnesota and paraded the fact that she has a large element of foreigners in her population. The Senator I know does not want to do me an injustice.

Mr. NELSON. Certainly not.

Mr. FORAKER. And does not want to misrepresent what I said.

In saying what I did about Minnesota I was answering an argument which had been made by the Senator. The Senator in

addressing the Senate had alluded to the fact, and had cited the statistics to sustain him, that there was a large foreign population in New Mexico. I conceded that, and said in conceding it that that was not peculiar to New Mexico; that other communities which had been successful had a large element of foreigners in their population. And this is the language I employed in respect to Minnesota. The Senator, I know, will pardon me, in order that I may, in justice to myself, quote it. Before quoting it I will stop long enough to say that in all that the Senator has said in compliment of Minnesota he has not exceeded the compliments I passed upon Minnesota at that time and in that connection. What I said, referring to the Senator's argument that these people were disqualified for admission into the Union because of this large foreign element, was as follows:

Neither is it a disqualification that they are foreigners—

Referring to the Mexican and Spanish element—

Neither is it a disqualification that they are foreigners. We heard a large part of the Senate's time taken up in urging that these people ought not to come into the Union because they were not all American citizens. We have a number of communities in this country where the foreign element is very largely represented, and I am going to call attention to one. I refer to Minnesota. There is no State now in the Union where they have a more loyal, faithful, capable, creditable population than they have in Minnesota. That is not in spite of the fact that they have foreigners, but because the foreign element is sometimes a very valuable mixture.

One paragraph further:

Let me call your attention to what the statistics show as to the State of Minnesota. There is no better State in the Union, but what I call attention to shows that a representative of that State is the last one to question the fitness for statehood of a people on the ground that a large percentage of them are foreigners.

Then, giving the statistics, which I do not care to take the time now to repeat, I said:

Now, Mr. President, with that admixture of foreigners, as I said, they have had enough good sense to have built up a great Commonwealth, to have made a proud record for themselves, and to have sent to this body as their representative the distinguished Senator who has addressed us in opposition to the admission of New Mexico to statehood.

Then I was interrupted by a question, which, having answered, I proceeded as follows:

I regret to say that I am unable to answer that question. I did not think to look at that. But what I want to say is that Minnesota is one of the best States in this Union. Her population, as everybody knows, is an intelligent, patriotic, busy, and capable population. They have never made any mistake in selecting representatives to the Congress of the United States in either House, certainly not beyond the average number made by States as a rule. Their whole record is a creditable one, and I cite the fact that they have this foreign-born population to show that it does not follow because there are foreign-born citizens in the Territory of New Mexico that that Territory is disqualified for admission to statehood.

I might have cited the statistics as to my own State, Ohio (as the Senator has seen fit to do, but I did not care to parade the statistics as to my own State), to show that there was a large admixture of foreign element in the population of Ohio. It did not seem to me that it was necessary for me to make any defense of the people of Ohio because they had a large foreign population. I think every Senator here will concede that the population of my State is a creditable one, that they have made a creditable record in the history of this country, and that they have done their duty under any and all circumstances.

I did not refer to Minnesota except only because the Senator himself had challenged attention to that subject. The purpose I had in view, conceding that they had a foreign element of which we all have knowledge, was to show that it does not follow that they are disqualified for statehood. You have only to look to New York, to Massachusetts, as well as to Ohio and Minnesota, or to any and every other State of the Union, where you will find a large admixture of foreigners with the native-born population, to find that it has made a splendid population in the aggregate, and that the people of all the States are, notwithstanding that fact, doing their duty in a creditable way as citizens of the United States.

I was simply answering the argument the Senator made. I was not arraigning his people. I was not arraigning his State. I was complimenting his State. Every Senator I know is proud of the record Minnesota has made, and it is not to the discredit of Minnesota that she has this large foreign element in her population. I did not say they could not speak the English language. The Senator says that 25 per cent of the 500,000 can and do speak the English language. I supposed a larger percentage than that spoke the English language, although I did not stop to examine the statistics; but that is immaterial. We know the record they have made, and that is one we can all in good faith compliment.

Why I rose was simply to call the Senator's attention to the fact that I did not arraign Minnesota. I did not say one word to her discredit or in disparagement of her. I cite her record with pride, and I cite her deeds and her achievements with pride, as every other citizen might.

Mr. NELSON. The Senator is entirely wide of the mark. He built up an argument as a basis for his reference to Minnesota by claiming and insisting that I was opposed to the admission of



New Mexico because of its foreign population. They are not a foreign population. I never opposed the admission of New Mexico on the ground that its population is foreign born.

Mr. FORAKER. Mr. President—

Mr. NELSON. They have more native-born people there perhaps than in most of the Northwestern States.

Mr. FORAKER. Mr. President—

Mr. NELSON. The Mexicans and that class of people whom I think are unfit for State government are people who were born in and have lived in this country for generations, as did their ancestors ahead of them. They are not foreign born. I never attacked the people of New Mexico on the ground that they were foreigners. They are natives of this country. I simply criticized them for the fact that they had not become Americanized, notwithstanding the fact that they were born in this country, notwithstanding the fact that their fathers and their grandfathers and their great-grandfathers way back for generations were all born in this country they had not become Americanized as rapidly as the foreigners in our country of the first generation.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. By and by.

Mr. FORAKER. I want to—

Mr. NELSON. Of the immigration that comes to Minnesota over 25 per cent are English-speaking people—Canadians and from the British Isles. The remainder that come are from the German countries, the northern countries of Germany, and from the three Scandinavian countries. They come there and they learn the English language as rapidly and as readily as any class of people who come here speaking a foreign tongue. You do not have to wait three or four or five generations before those people can speak the English language. They learn it themselves, so that they speak it quite well, and their children speak it.

They do not have interpreters in the courts to interpret the argument of counsel to a jury. They do not have interpreters in court to interpret the charge of the court to the jury. They do not publish the laws in the German or the Scandinavian or any other foreign language. They are to all intents and purposes an English-speaking people. They are Americanized; and that is my objection to the Mexican people; that although they are natives of this country, they have not become Americanized as the great mass and body of our people have.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. FORAKER. I have not looked over the remarks of the Senator from Minnesota as they appear in the RECORD, but I sat on the other side of the Chamber near the Senator when he was making that part of the speech to which I refer, and if he did not say that one of his objections was that there was this large foreign element in the population of New Mexico, I misunderstood him. I understood him so to charge and so to insist.

Mr. NELSON. I never intended to charge anything of the kind.

Mr. FORAKER. It may come from the fact that the Senator was talking about the people not becoming Americanized. That is practically the same thing, I think. There is not a very broad distinction. I got that impression.

If the Senator has no objection to the population of New Mexico on the ground that they are foreigners, or if he insists there are no foreigners there, of course the point to which I was replying falls to the ground by his concession, and I have nothing more to say. But I retract nothing I said in that connection. What I said was justified by the remarks of the Senator from Minnesota, and what I rose to object to was simply his putting it into the RECORD that I had arraigned the State or the people of Minnesota. I had not done anything of the kind. I had complimented them quite as generously as the Senator himself has complimented them.

Mr. PATTERSON. Mr. President, the last effort of the Senator from Minnesota [Mr. NELSON] is to my mind the most conclusive evidence of both the necessity and the justice of the passage of this bill. Here are 200,000 people arraigned and assailed in this body at the national capital, and the things that are said against them, injurious to the last degree, must practically go unchallenged unless they are met by those who are not residents of the Territory, and who may not be presumed to have that knowledge of the procedure of the Territory and its people that those who live there have.

For the purpose of combating in some degree some things that the Senator from Minnesota imagined the Senator from Ohio [Mr. FORAKER] said about the foreign population of his State, the Senator from Minnesota recalls to the attention of the country an

episode which occurred in New Mexico twenty-five years ago. Simply reading the measure and reciting the circumstances of its passage and its repeal by act of Congress would create the impression that there was something heinous committed by the people of New Mexico against the United States and American institutions.

What was it after all, Mr. President? The legislature of New Mexico passed a special act incorporating a religious body, and it was against the laws of the United States only in this respect, that the law creating the Territory of New Mexico, commonly known in Territories as the organic act, or the constitution of the Territory, prohibited the granting of charters by special act to any corporation whatsoever. The legislature of New Mexico had been induced to believe that they might incorporate by special act a religious body known as the Jesuit Fathers. It could not be done under its organic law. That, Mr. President, was the head and front of its offending.

There is nothing criminal or reprehensible in the incorporating of religious bodies. I will venture the assertion that in the Senator's own State the religious order known as the Jesuit Fathers has a corporate existence, organized under its general incorporation law. I imagine that whether a religious body is incorporated under a special or a general law makes no difference whatsoever so far as the public welfare is concerned.

Mr. President, why did not the Senator from Minnesota, if he desired to do justice to the people of New Mexico, in connection with that statement make the additional statement that in fifty years of Territorial life it was the only law enacted by the New Mexicans in their Territorial legislature which the Congress felt compelled to repeal? One of the strongest and most conclusive evidences of the capacity of a people for self-government is the peace and order they maintain within their borders and the character of the laws they enact. And this one charge by the Senator from Minnesota brings prominently before the people of the country the fact that so well are the people of New Mexico qualified for self-government that in fifty years, during all of which time they have elected their legislature, with its membership answering to the strange names he read, not a single law that that body has passed has received the censure of the Congress of the United States, and during all that time Congress had the right to repeal any law that the legislature of New Mexico enacted.

So we find, even from the report of the committee that went to the Territory seeking rather to evade testimony than to obtain it, that that Territory is lawfully inclined and peaceful, and that life and property are as safe in that Territory as in any other section of this Union. In addition to that we have now the unqualified and uncontradicted fact that in fifty years of legislative life, enacting their own laws, providing for their own rules, not a single law has been enacted by the legislature of that Territory which received the censure of Congress, and which was not permitted to remain upon the statute books so far as any act of Congress is concerned.

Flings are made, Mr. President, against the people of New Mexico because interpreters are used in the courts and occasionally an interpreter may be called to the jury room for the purpose of interpreting the evidence given on the trial and which was taken down in shorthand by the court stenographer. In Colorado, I believe that the legislature which is in session to-day is the only one that ever met and did not appoint interpreters to make easier the burdens and the labors of Spanish members who were elected to that body, that they might perform their duties the more intelligently. I think the laws of every legislature there up to the present time have by special act been printed in Spanish.

I recall, when I first went to the Territory of Colorado, making a canvass for Congress as early as 1874, and upon more than one occasion I addressed the audiences through an interpreter. The object of an interpreter is simply to give to those who listen a clear and comprehensive knowledge of that which the speaker says. It does not indicate that those who are not able to speak English are un-American or that they have not adapted themselves to the best of their ability to American institutions. It simply means that in the stress of life, in the efforts and the time necessary to earn the bread with which the breath of life is maintained, they have not had time to learn what to them is a difficult language to understand and to master.

So none of these objections, when they are summed up, go to the capacity or to the character of the citizenship or to the relation of the minds of the Mexican people to the American Government. They simply go to the proposition whether or not they can speak more than one language. I take it that in every community in New Mexico and wherever Spanish-speaking people are they have the Constitution of the United States and the constitution of their State or, if it is a Territory, the organic law printed in the language the people speak. I know that every volume of the statutes throughout that section of the country has in it, in the Spanish language, the Constitution of the United

States and of the State, in order that those who use the statutes and may not be able to speak the English language may have those instruments, so essential to American freedom and American liberty, and that they may be read and comprehended by them.

But what I desired to enforce above everything else was that in fifty years, with the exception of a single law which has been read by the Senator from Minnesota, not a single act has been passed by the New Mexican legislature which did not receive at least the quasi approval of Congress, because Congress was not called upon to repeal it.

It is a testimonial, Mr. President, to the patriotism, to the love of country, to the genius for government of the Mexican people. Instead of crowding them back, instead of denouncing and anathematizing them and holding them up in a degraded light to the American people, it should be the duty of Senators to extend to them the hand of fellowship and of help, and to give them credit for what they have accomplished and for what they are attempting to accomplish. If that was done there would be no such controversy as we have had here now for nearly six weeks over the admission of these people to statehood.

Mr. TELLER. Mr. President, the senior Senator from Minnesota [Mr. NELSON] seemed to think that I overlooked the services of the Colorado troops in Mexico. I want to read what I said. In speaking of these people on Saturday I said:

I knew them in the war. I knew them when they had not forgotten the fact that they were a conquered people. I know that nowhere on this continent were men more anxious to preserve the integrity of the Union than the Spanish population of New Mexico and Colorado. They put into the field, in proportion to their population, more men than many of the States which are boasting of their devotion to American institutions. They fought our battles; they kept back the forces from the Confederate States that were invading and attempting to cut off communication between the Atlantic and the Pacific oceans.

Mr. President, that is strictly true. Early in the winter of 1862 General Sibley left Texas with a large force, probably from 4,000 to 6,000 men—nearer 5,000, perhaps, than either. I need not state that General Sibley was a West Point officer and a man thoroughly familiar with the Western country. He moved into New Mexico. He was met soon after he got into New Mexico by General Canby with three New Mexican regiments. General Canby's force was greatly inferior to that of General Sibley. These New Mexican forces under Canby held Sibley in check for some time, but being less in number, they were compelled gradually to retire toward the capital of New Mexico. The point for which Sibley had started was first to strike Fort Union, where the Government of the United States had then a very large quantity of munitions of war, amounting to many millions of dollars. The second point to which he was reaching was the continental stage line, to cut off communications with California.

We had in Colorado a regiment, raised the summer before in a very irregular manner, and it had been rejected by the General Government. It took the united efforts of all the people of Colorado for many months to get the Government of the United States to accept that regiment. Some time late in the fall or early in the winter the Government accepted it. The regiment was composed of about 1,000 men.

We had in addition to that a battery and about 120 cavalry. So we had in the Colorado force about 1,200 men.

The Government of the United States ordered a portion of those troops, and a portion of them only, to New Mexico to support Canby. About two-thirds of the troops were ordered into New Mexico. The officer in command reached a point not far from Fort Lyon where about 400 of the Colorado troops were stationed. The Colorado troops so stationed, and who were to be left in Colorado, insisted that if there was to be any fighting they had not enlisted to remain in the fort and that they would go to New Mexico with the rest, and in spite of the protest of the colonel, contrary to the designs of the General Government, they marched out with him to meet Canby.

Couriers from General Canby were sent up to the Colorado troops coming down to hurry their passage, stating that it was quite impossible with his inferior forces to hold the Confederate army in check, and, as I stated a few moments ago, the last day this infantry made a march of 52 miles, marching all day and all night, and in the early gray of the morning striking Sibley. They did not wait for any orders from Canby, but sailed into him, burnt his baggage train, which they struck first, and, with the aid of the New Mexicans and General Canby, routed General Sibley. Sibley having lost his baggage train, and having failed to reach the munitions of war at Fort Union, of course turned his face toward Texas.

Now, Mr. President, I should not have referred to this matter at all, but the statement made by the Senator might leave the inference that I had been careless, at least, in not giving to the people of Colorado the credit that they were entitled to receive. I only claimed that Canby had held in check until our troops got there, and that was all that could have been expected with the small number he then had.

Now, Mr. President, I do not care to debate this question. I am going to present some facts on some other occasion in connection with this debate, if the debate is to continue. I have some things I desire to say, and that I believe ought to be said, in defense of those of us who think the time has come when justice requires that these people should be admitted into the Union, and that, too, in spite of everything that has been written by the committee or spoken, so far as I know, by the opponents of the bill. But I shall not attempt to do that, Mr. President, to-night.

Mr. McCUMBER. Mr. President, there has been much injustice, it seems to me, done to these Mexicans in comparing them with other nationalities and drawing an odious comparison as to their ability to understand and read or write the English language. It appears to me that we ought to take into consideration one condition there that has never applied to any foreigners coming to any other section of the country. Let us remember this one fact and then apply it.

We simply removed the boundary line of Mexico a few hundred miles south. We had there a population that was practically Mexican. That population was segregated hundreds of miles from the rest of the populated section of the United States. We had to cross hundreds of miles of territory before we could reach their settlement not only on the east, but on the west. They were practically segregated from all the balance of the United States.

Now, let us suppose that we had placed Germans, Scandinavians, or any other foreign-speaking element in that same section, does any person claim that they would have learned the English language as readily and as properly as they have done in the State of Minnesota?

It must be remembered that the foreigners from Europe who have come to this country have not come as a body. They have come here gradually. They have been learning the English language gradually. They have come into a country where the English language was spoken, and necessity, which is the mother of invention, compelled them to learn the English language. For instance, Russians and that class of people coming to the State of North Dakota or Minnesota very readily learn the English language, but suppose we had had them all up in Alaska and segregated from the balance of the United States, does anyone claim that they would have adopted the English language readily? Suppose, if we could reach beyond our own borders, that we would extend our laws over a portion of Norway or Germany to-day, where the people are surrounded by those speaking their own language, does any person claim that then they would readily adopt a new language?

Yet this is exactly the condition of those people in New Mexico. They have never had an opportunity to understand the English language. They have never been brought enough in connection with the English-speaking classes to compel them to learn it. It seems to me that if we will take any population of a foreign-speaking element and place them in the same conditions that have surrounded this little band of Mexicans in a Territory so far from the English-speaking portion of the United States, the comparison with other people situated under the same conditions would be favorable to the Mexicans there. I simply speak of this, Mr. President, because it seems to me that the comparison does not do them justice.

Mr. QUAY rose.

Mr. NELSON. Will the Senator from Pennsylvania yield to me for a moment? I do not want to prolong the debate at this time. I simply desire to say to the Senator from Colorado [Mr. TELLER] that I had no intention to do him any injustice in this matter, and if I have misrepresented him I am sorry for it. I have the highest respect for the Senator from Colorado. I know he always means to be fair and right, and I certainly had no intention to do him any injustice.

Mr. TELLER. I do not myself think the Senator had any such intention.

Mr. QUAY. Mr. President, I rise to ask the unanimous consent of the Senate that a vote be taken upon this bill and the pending amendments at 2 p. m. on the 20th instant.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that a vote be taken on the pending bill and all amendments then pending and all amendments then offered, without further debate, on the 20th day of February, at 2 o'clock in the afternoon. Is there objection?

Mr. KEAN. Mr. President, I think I should like to finish my remarks before a day is fixed for a vote.

Mr. QUAY. Do I understand the Senator from New Jersey to object?

The PRESIDENT pro tempore. The Senator from New Jersey did not say that he objected.

Mr. KEAN. I think—

Mr. MCOMAS. Mr. President, I object, because I should like to hear the conclusion of the speech of the Senator from New Jersey.

The PRESIDENT pro tempore. Objection is made.



## EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 10, 1903, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate February 9, 1903.*

## SECRETARY OF LEGATION.

Roger Sherman Gates Boutell, of Illinois, to be secretary of the legation of the United States at Berne, Switzerland, to fill an original vacancy.

## ASSISTANT TREASURER.

Charles A. Bosworth, of Ohio, to be assistant treasurer of the United States at Cincinnati, Ohio. (Reappointment.)

## COLLECTOR OF CUSTOMS.

George W. McCowan, of New Jersey, to be collector of customs for the district of Bridgeton, in the State of New Jersey. (Reappointment.)

## UNITED STATES ATTORNEY.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana. A reappointment, his term having expired December 19, 1902.

## POSTMASTERS.

## CONNECTICUT.

Charles C. Georgia, to be postmaster at Unionville, in the county of Hartford and State of Connecticut, in place of Charles C. Georgia. Incumbent's commission expired January 17, 1903.

Charles N. Hatch, to be postmaster at Bridgewater, in the county of Litchfield and State of Connecticut, in place of Charles N. Hatch. Incumbent's commission expired January 27, 1903.

## ILLINOIS.

Marie Friendlich, to be postmaster at Mount Sterling, in the county of Brown and State of Illinois, in place of Jacob Friendlich, deceased.

James M. Joy, to be postmaster at Waverly, in the county of Morgan and State of Illinois, in place of James M. Joy. Incumbent's commission expired December 21, 1902.

## INDIANA.

Frank B. Meyer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana, in place of Frank B. Meyer. Incumbent's commission expires March 2, 1903.

## IOWA.

George W. Cook, to be postmaster at Guthrie Center, in the county of Guthrie and State of Iowa, in place of Charles Ashton. Incumbent's commission expired December 21, 1902.

A. J. Enbody, to be postmaster at Dunlap, in the county of Harrison and State of Iowa, in place of Richard H. Randall. Incumbent's commission expired January 12, 1903.

Barney Johnson, to be postmaster at Ida Grove, in the county of Ida and State of Iowa, in place of Anna Burns. Incumbent's commission expired December 21, 1902.

A. J. Vail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa, in place of Ross A. Nicholson, resigned.

## KENTUCKY.

George M. Dickey, to be postmaster at Cynthiana, in the county of Harrison and State of Kentucky, in place of George M. Dickey. Incumbent's commission expires March 2, 1903.

## LOUISIANA.

Amy C. Reiley, to be postmaster at Clinton, in the parish of East Feliciana and State of Louisiana, in place of George J. Reiley. Incumbent's commission expired January 10, 1903.

## MASSACHUSETTS.

George Abbott, to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts, in place of George Abbott. Incumbent's commission expired January 19, 1903.

Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts, in place of Harding R. Barber. Incumbent's commission expires February 15, 1903.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts, in place of Alexander Grant. Incumbent's commission expires March 2, 1903.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts, in place of Charles L. Stevens. Incumbent's commission expires March 2, 1903.

Harry C. Thomas, to be postmaster at East Weymouth, in the county of Norfolk and State of Massachusetts, in place of Henry L. Lovell, removed.

William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts, in place of William H. Twiss. Incumbent's commission expires February 15, 1903.

## MICHIGAN.

Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan, in place of Hiram E. Hardy. Incumbent's commission expires February 15, 1903.

John N. McCall, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan, in place of William A. Leet. Incumbent's commission expires March 3, 1903.

Frank C. Merrill, to be postmaster at Bay City, in the county of Bay and State of Michigan, in place of William McCloy, removed.

## MISSISSIPPI.

Samuel R. Braselton, to be postmaster at Gulfport, in the county of Harrison and State of Mississippi, in place of Thomas A. Cleary, removed.

John H. Cook, to be postmaster at Ellisville, in the county of Jones and State of Mississippi, in place of John H. Cook. Incumbent's commission expired February 2, 1903.

## NEW HAMPSHIRE.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire, in place of Herbert Bailey. Incumbent's commission expires March 2, 1903.

## NEW YORK.

Thomas B. Gibson, to be postmaster at Walden, in the county of Orange and State of New York, in place of Thomas B. Gibson. Incumbent's commission expires February 15, 1903.

Frank W. Higgins, to be postmaster at Wellsville, in the county of Allegany and State of New York, in place of Frank W. Higgins. Incumbent's commission expired January 13, 1903.

John J. Hodge, to be postmaster at Oneida, in the county of Madison and State of New York, in place of John J. Hodge. Incumbent's commission expired January 28, 1903.

Everett I. Weaver, to be postmaster at Angelica, in the county of Allegany and State of New York, in place of Everett I. Weaver. Incumbent's commission expired January 13, 1903.

Seraph E. Wolcott, to be postmaster at Keeseville, in the county of Essex and State of New York, in place of Seraph E. Wolcott. Incumbent's commission expired January 13, 1903.

## NORTH DAKOTA.

Michael B. De la Bere, to be postmaster at Sheldon, in the county of Ransom and State of North Dakota, in place of Maggie C. Doran, resigned.

Agatha G. Patterson, to be postmaster at Bismarck, in the county of Burleigh and State of North Dakota, in place of Agatha G. Patterson. Incumbent's commission expired February 1, 1902.

## OHIO.

Van R. Sprague, to be postmaster at McArthur, in the county of Vinton and State of Ohio, in place of Van R. Sprague. Incumbent's commission expires February 10, 1903.

John L. Sullivan, to be postmaster at St. Marys, in the county of Auglaize and State of Ohio, in place of John L. Sullivan. Incumbent's commission expires March 2, 1903.

## PENNSYLVANIA.

Ada U. Ashcom, to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania, in place of Ada U. Ashcom. Incumbent's commission expires March 3, 1903.

John F. Austin, to be postmaster at Corry, in the county of Erie and State of Pennsylvania, in place of John F. Austin. Incumbent's commission expires February 20, 1903.

Clark B. Bailey, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania, in place of Robert T. Wood. Incumbent's commission expires February 14, 1903.

Harold C. Carpenter, to be postmaster at Troy, in the county of Bradford and State of Pennsylvania, in place of William P. McCleery. Incumbent's commission expired May 11, 1902.

Henry Fuellhart, to be postmaster at Tidioute, in the county of Warren and State of Pennsylvania, in place of Cornelius P. Bucklin. Incumbent's commission expires March 3, 1903.

Warren B. Masters, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania, in place of Clayton E. Williamson. Incumbent's commission expired January 7, 1900.

Lucius Rogers, to be postmaster at Kane, in the county of McKean and State of Pennsylvania, in place of Lucius Rogers. Incumbent's commission expires February 21, 1903.

William W. D. Yerkes, to be postmaster at Ogontz, in the county of Montgomery and State of Pennsylvania, in place of William W. D. Yerkes. Incumbent's commission expired January 31, 1903.

## RHODE ISLAND.

James T. Caswell, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island, in place of John H. Caswell. Incumbent's commission expired June 23, 1902.

## WISCONSIN.

Ira P. Coon, to be postmaster at Plainfield, in the county of Waushara and State of Wisconsin, in place of Ira P. Coon. Incumbent's commission expired January 10, 1903.

William H. Johnson, to be postmaster at Berlin, in the county of Green Lake and State of Wisconsin, in place of William H. Johnson. Incumbent's commission expires February 13, 1903.

James W. Meiklejohn, to be postmaster at Waupun, in the county of Fond du Lac and State of Wisconsin, in place of James W. Meiklejohn. Incumbent's commission expired January 28, 1903.

## WITHDRAWAL.

*Executive nomination withdrawn February 9, 1903.*

George J. Reiley, to be postmaster at Clinton, in the State of Louisiana.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 9, 1903.*

## SECRETARY OF LEGATION.

Roger Sherman Gates Boutell, of Illinois, to be secretary of legation at Berne, Switzerland.

## PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. William E. Reynolds, to be a captain in the Revenue-Cutter Service of the United States.

Second Lieut. Charles E. Johnson, to be a first lieutenant in the Revenue-Cutter Service of the United States.

Third Lieut. Joseph H. Crozier, to be a second lieutenant in the Revenue-Cutter Service of the United States.

## POSTMASTERS.

## ALABAMA.

Walter S. Standifer, to be postmaster at Gadsden, in the county of Etowah and State of Alabama.

James T. Pitt, to be postmaster at Florence, in the county of Lauderdale and State of Alabama.

## CALIFORNIA.

William G. Hawley, to be postmaster at San Jose, in the county of Santa Clara and State of California.

Thomas E. Byrnes, to be postmaster at San Mateo, in the county of San Mateo and State of California.

Lindley M. Baldwin, to be postmaster at Whittier, in the county of Los Angeles and State of California.

Felix L. Grauss, to be postmaster at Calistoga, in the county of Napa and State of California.

Edward G. Hall, to be postmaster at Healdsburg, in the county of Sonoma and State of California.

Frank B. Mackinder, to be postmaster at St. Helena, in the county of Napa and State of California.

Orlando J. Lincoln, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California.

Charles H. Dobbie, to be postmaster at Palo Alto, in the county of Santa Clara and State of California.

## ILLINOIS.

Andrew J. Pickrell, to be postmaster at Anna, in the county of Union and State of Illinois.

Charles F. Douglas, to be postmaster at Ashland, in the county of Cass and State of Illinois.

Albert W. Errett, to be postmaster at Kewanee, in the county of Henry and State of Illinois.

Clarence F. Buck, to be postmaster at Monmouth, in the county of Warren and State of Illinois.

Clark J. McManis, to be postmaster at Princeton, in the county of Bureau and State of Illinois.

Arthur P. Woodruff, to be postmaster at Savanna, in the county of Carroll and State of Illinois.

Henry K. Brockway, to be postmaster at Barrington, in the county of Cook and State of Illinois.

Warren M. Heath, to be postmaster at Libertyville, in the county of Lake and State of Illinois.

James Porter, to be postmaster at Martinsville, in the county of Clark and State of Illinois.

C. B. Crawford, to be postmaster at Genoa, in the county of Dekalb and State of Illinois.

William McMeekin, to be postmaster at Galva, in the county of Henry and State of Illinois.

Edward D. Cook, to be postmaster at Piper City, in the county of Ford and State of Illinois.

## INDIANA.

David A. Shaw, to be postmaster at Mishawaka, in the county of St. Joseph and State of Indiana.

Robert W. Morris, to be postmaster at New Albany, in the county of Floyd and State of Indiana.

## IOWA.

Abraham Wilkin, to be postmaster at Keosauqua, in the county of Van Buren and State of Iowa.

George Hardenbrook, to be postmaster at Maxwell, in the county of Story and State of Iowa.

Edward C. Brown, to be postmaster at Dewitt, in the county of Clinton and State of Iowa.

Gideon M. Gifford, to be postmaster at Elkader, in the county of Clayton and State of Iowa.

Ernest D. Powell, to be postmaster at Exira, in the county of Audubon and State of Iowa.

Stephen Tabor, to be postmaster at Independence, in the county of Buchanan and State of Iowa.

George W. Metcalf, to be postmaster at Lansing, in the county of Allamakee and State of Iowa.

William N. Oursler, to be postmaster at Odebolt, in the county of Sac and State of Iowa.

## MARYLAND.

Ezra R. Zimmerman, to be postmaster at Emmitsburg, in the county of Frederick and State of Maryland.

## MICHIGAN.

Joshua Braun, to be postmaster at Sebewaing, in the county of Huron and State of Michigan.

Frank C. Merrill, to be postmaster at Bay City, in the county of Bay and State of Michigan.

## MINNESOTA.

Arthur W. Sheets, to be postmaster at Long Prairie, in the county of Todd and State of Minnesota.

John F. Wrabek, to be postmaster at New Prague, in the county of Lesueur and State of Minnesota.

Archibald J. Dewolf, to be postmaster at Windom, in the county of Cottonwood and State of Minnesota.

Frank Hagberg, to be postmaster at Winthrop, in the county of Sibley and State of Minnesota.

G. B. Bjornson, to be postmaster at Minnesota, in the county of Lyon and State of Minnesota.

Henry Tome, to be postmaster at Pine Island, in the county of Goodhue and State of Minnesota.

William Kaiser, to be postmaster at Faribault, in the county of Rice and State of Minnesota.

## MISSISSIPPI.

Nevan C. Hathorne, to be postmaster at Columbia, in the county of Marion and State of Mississippi.

## MISSOURI.

J. W. Jones, to be postmaster at Brookfield, in the county of Linn and State of Missouri.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 9, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

## THE JOURNAL.

The Journal of yesterday's proceedings was read.

The SPEAKER. Without objection, the Journal will be approved.

Mr. RICHARDSON of Tennessee. Mr. Speaker—

Mr. JENKINS. I desire to correct the RECORD. I joined with the other members of the conference committee in the report and statement as printed on pages 1893 and 1894 of the RECORD. My name is omitted from both the report and the statement. I desire it inserted.

The SPEAKER. In the absence of objection, the Journal will be corrected.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a question of order, and it relates to the approval of the Journal of the proceedings of the House on yesterday. I think it affects the integrity of our proceedings, and is, therefore, in that view of the case, a privileged matter. I find that yesterday, under the orders of the House—

The SPEAKER. The Chair will ask the gentleman whether what he is now saying relates to the request of the gentleman from Wisconsin [Mr. JENKINS]?

Mr. RICHARDSON of Tennessee. Not at all; it relates to another matter; but it refers to the approval of the Journal.

The SPEAKER. If there be no objection, then, the Journal will be corrected in accordance with the request of the gentleman from Wisconsin.

Mr. RICHARDSON of Tennessee. I supposed the Chair had submitted that question.

The SPEAKER. The Chair thought the gentleman was addressing himself to that question.

Mr. RICHARDSON of Tennessee. Not at all; what I am about